



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खण्ड 20]

शिमला, शनिवार, 15 अप्रैल, 1972/26 चैत्र, 1894

[संख्या 16]

विषय-सूची

भाग 1	वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि	392—398
भाग 2	वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि	398—399
		तथा
		418—419
भाग 3	अभिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाइनेन्शियल कमिशनर तथा कमिशनर आफ इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि	—
भाग 4	स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायत विभाग	400
भाग 5	वैयक्तिक अधिसूचनाएं और विज्ञापन	400
		तथा
		419
भाग 6	भारतीय राजपत्र इ पुनः प्रकाशन	401—418
भाग 7	भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं	—
	अनुपूरक	—

15 अप्रैल, 1972/26 चैत्र, 1894 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्तियां 'असाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईं: —

विज्ञप्ति की संख्या	विभाग का नाम	विषय
No. 14-7/66-Home, dated the 7th April, 1972.	Home Department	Authorising the carrying out of field firing and artillery practice by Army authorities throughout the notified area in Kangra district.
No. 1-12/71-LSG., dated the 10th March, 1972.	Local Self Government Department	The Himachal Pradesh Public Premises and Land (Eviction and Rent Recovery) Rules, 1972.
No. 14-45/68-E&T (Sec. 1), dated the 30th March, 1972.	Excise and Taxation Department	Amendment in the Himachal Pradesh Entertainments Tax (Cinematograph Shows) Rules, 1969.

भाग 1--बंधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि

हिमाचल प्रदेश हाई कोर्ट

NOTIFICATIONS

Simla-1, the 4th April, 1972

No. HHC-Admin.1(5)/71-3156.—The Hon'ble the Chief Justice and Judges have been pleased to order the posting of Shri R. L. Khurana, Senior Sub-Judges, Bilaspur, as Additional Sub-Judge, Mandi, in addition to his present posting, till appointment of a regular Additional Sub-Judge at Mandi.

The Hon'ble the Chief Justice and Judges have further been pleased to order that Shri R. L. Khurana will work as Additional Sub-Judge for one week in a month at Mandi to dispose of the pending cases of that Court.

Simla-1, the 15th April, 1972

No. HHC. 3195 71. In exercise of the powers vested in them by section 139 (b) of the Code of Civil Procedure, 1908 the Hon'ble the Chief Justice and the Judges of the High Court of Himachal Pradesh are pleased to re-appoint Shri Surrinder Kumar Sharma Advocate as Oath Commissioner for the period from 9-1-1970 to 8-1-1972 for Tehsil Headquarter at Nurpur, Kangra district for administering oaths/affirmations on affidavits, to the deponents, under the said Code, in accordance with the terms specified in paragraph 5 of Chapter 12-B, Punjab High Court Rules and Orders, Vol. IV, as applied to Himachal Pradesh.

Simla-1, the 5th April, 1972

No. HHC. 15-0-68-3188. In exercise of the powers vested in them by section 139(b) of the Code of Civil Procedure 1908, the Hon'ble the Chief Justice and Judges of the High Court of Himachal Pradesh are pleased to appoint Shri Sukh Lal Tandon, Superintendent, District & Sessions Judges Court, Simla as Oath Commissioner for administering oath and affirmations to deponents on affidavit under the said Code, in accordance with the terms specified in paragraph 5 of Chapter 12-B, Punjab High Court Rules and Orders, Vol. IV as applied to Himachal Pradesh.

Simla-1, the 5th April, 1972

No. HHC. 3202/71. In exercise of the powers vested in them by section 139(b) of the Code of Civil Procedure, 1908, the Hon'ble the Chief Justice and Judges of the High Court of Himachal Pradesh are pleased to appoint/re-appoint the following Advocates, as Oath Commissioners, for the places and with effect from the dates shown against their names, for the period of two years for administering oaths/affirmations on affidavits, to the deponents, under the said Code, in accordance with the terms specified in paragraph 5 of Chapter 12-B, Punjab High Court Rules and Orders Vol. IV, as applied to Himachal Pradesh:—

Sl. No.	Name	Place and period
1.	Shri Tilak Raj, Advocate	For Tehsil Headquarter at Nurpur w.e.f. 9th January, 1972 to 8th January, 1974.
2	Shri Jagdish Chand Sharma, Advocate	For Tehsil Headquarter at Hamirpur w.e.f. 6th March, 1972 to 5th March, 1974.

Sl. No. Name Place and period

3. Shri Rajinder Kumar Garg, Advocate. For Tehsil Headquarter at Kandaghat, w.e.f. 28th August, 1971 to 27th August, 1973.
4. Shri Bhupinder Singh Thakur, Advocate, Bilaspur. For Tehsil Headquarter Ghumarwin w.e.f. 6th March, 1972 to 5th March, 1974.

By order of the Court,
KEDAR ISHWAR,
Registrar.

हिमाचल प्रदेश सरकार

PERSONNEL DEPARTMENT (A) NOTIFICATIONS

Simla-2, the 29th March, 1972

No. 3-27/69-Appnt.—The Governor, Himachal Pradesh is pleased to accord sanction to the grant of 42 days' earned leave with effect from 1st April, 1972 to 12th May, 1972 (both days inclusive), in favour of Shri Harbans Singh, Under Secretary (Budget) to the Government of Himachal Pradesh, with permission to prefix and suffix holidays falling on the 31st March, 1972 and 13th, 14th May, 1972 respectively, subject to verification of title to leave.

The Governor is further pleased to appoint Shri Moti Singh, a substantive Section Officer of the Himachal Pradesh Secretariat, to officiate as Under Secretary (Budget) to the Government of Himachal Pradesh for the period Shri Harbans Singh remains on leave. This arrangement is purely stop-gap arrangement and it will not confer any right on Shri Moti Singh for promotion, seniority etc.

Certified that Shri Harbans Singh, Under Secretary (Budget) to the Government of Himachal Pradesh, will return to duty to the Station from where he proceeds on leave.

Certified that Shri Harbans Singh would have continued to hold the post of Under Secretary (Budget) but for his proceeding on leave.

K. N. CHANNA,
Chief Secretary.

Simla-2, the 1st April, 1972

No. 1-3/71-DP (Appnt.).—The Governor, Himachal Pradesh is pleased to order the following transfers and postings with immediate effect, in the public interest:—

1. Shri R. K. Anand, I.A.S. (H.P.), Administrator, Simla Municipality Corporation, is transferred and posted as Deputy Commissioner, Mandi vice Shri S. M. Kanwar, I.A.S. (H.P.).
2. Shri S. M. Kanwar, I.A.S. (H.P.), Deputy Commissioner, Mandi is transferred and posted as Joint Agricultural Production Commissioner, Himachal Pradesh, Simla vice Shri P. C. Sharma, I.A.S. (H.P.).
3. Shri P. C. Sharma, I.A.S. (H.P.), Joint Agricultural Production Commissioner, Himachal Pradesh, Simla is transferred and posted as Deputy Commissioner, Bilaspur, vice Shri

Kashmir Singh, H.P.A.S. who will revert as Sub-Divisional Magistrate/Sub-Divisional Officer (Civil), Bilaspur.

S. S. SIDHU,
Joint Secretary.

COMMUNITY DEVELOPMENT DEPARTMENT ORDER

Simla-4, the 30th March, 1972

No. 4-17/67-E.(Dev.).—Whereas an order placing Shri R. L. Attwal, Block Development Officer under suspension was made by the Governor, Himachal Pradesh on the 11th October, 1971.

2. Now, therefore, the Governor, Himachal Pradesh in exercise of the powers conferred by clause (c) of sub-rule (5) of rule 10 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 is pleased to revoke the said order of suspension with immediate effect.

By order and in the name of the Governor,
Sd/-
Secretary (Dev.).

NOTIFICATION

Simla-4, the 30th March, 1972

No. 4-17/67-E. (Dev.).—The Governor, Himachal Pradesh is pleased to accept the resignation of Shri R. L. Attwal, Block Development Officer (Gazetted Class II), Nalagarh with immediate effect.

Sd/-
Secretary (Dev.).

HOME DEPARTMENT

NOTIFICATION

Simla-2, the 3rd April, 1972

No. 14-21/71-Home.—The Governor of Himachal Pradesh is pleased to extend the period for submission of the report to the State Government by the Commission of Inquiry constituted vide Home Department notification of even number, dated the 29th October, 1971 to inquire into the Kulu Police Firing Incident, up to the end of June, 1972.

By order.
K. N. CHANNA,
Chief Secretary.

HEALTH AND FAMILY PLANNING DEPARTMENT NOTIFICATION

Simla-2, the 29th March, 1972

No. 1-210/69-H&FP.—The Governor, Himachal Pradesh is pleased to appoint Dr. G. R. Dewan as Deputy Assistant Dental Surgeon in his own scale of pay on *ad hoc* basis for a period of one year from 21st January, 1972 (F.N.) or till the post is filled up on regular basis, whichever, is earlier.

S. L. TALWAR,
Under Secretary.

PUBLIC WORKS DEPARTMENT NOTIFICATIONS

Whereas, it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose*, it is hereby declared that the land described in the specification below is required for the said* purpose.

2. The declaration is made under the provisions of section 6 of the Land Acquisition Act 1894, to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh Public Works Department, is hereby directed to take order for the acquisition of the said land.

3. A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh Public Works Department, Mandi and Kulu.

No. 2-32/70-PWD. Simla-2, the 15th March, 1972

*Construction of Aut-Prashar Road

SPECIFICATION

District: MANDI		Tehsil: SADAR		
Village 1	Khasra No. 2	Area		
		Big.	Bis.	Bisw.
		3	4	5
TAPER	416/1	0	0	9
	416/2	0	3	0
	411/1	0	2	12
	414/1	0	0	16
	415/1	0	7	13
Total		0	14	10

No. 2-32/70-PWD: Simla-2, the 15th March, 1972

KASHNA	385/1	0	7	12
	386/1	0	15	8
	387	0	11	13
	421/1	0	9	11

1	2	3	4	5
	435/1	0	18	6
	488/1	1	4	1
	490/1	0	1	7
	522/1	0	8	12
	310/1	0	14	10
	318/1	0	12	11
	420	0	7	9
	521/1	0	5	5
	419/1	0	5	5
	487/1	0	13	7
	480/1	0	3	1
	392/1	0	1	2
	424/1	0	5	16
	523/1	2	5	6
	Total	10	10	2

By order,

L. HMINGLIANA TOCHHAWNG,
Secretary.

Simla-2, the 22nd March, 1972

No. 1-11-69-PWD.—In continuation of this Government notification No. 1-11-69-PWD, dated the 11th December, 1971, the Governor, Himachal Pradesh is pleased to appoint Shri G. N. Ramaswamiah as Superintending Engineer, in the scale of Rs. 1300-60-1600, (now revised to Rs. 1600-50-1800-100-2000 from 1st February, 1968), on notional basis w.e.f. 17th May, 1965.

The Governor, Himachal Pradesh is further pleased to order that the pay of Shri G. N. Ramaswamiah shall

notionally be fixed as Superintending Engineer, w.e.f. 17th May, 1965.

L. HMINGLIANA TOCHHAWNG,
Secretary.

Simla-2, the 3rd April, 1972

No. 2-38/70-PWD.—Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose, namely for construction of Baklo Shahpur road, it is hereby declared that the land described in the specification below is required for the above purpose.

2. The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh Public Works Department is hereby directed to take order for the acquisition of the said land.

3. The plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh Public Works Department, Chamba.

SPECIFICATION

District: CHAMBA

Tehsil: BHATTIYAT

Village	Khasra No.	Area Big. Bis.
TARAGRAH	67	4 2

By order,

L. HMINGLIANA TOCHHAWNG,
Secretary.REVENUE DEPARTMENT
NOTIFICATIONS

Simla-2, the 18th March, 1972

No. 1-4-68-Rev. I.—The result of the Tehsildars Departmental Examination held at Chandigarh in the month of October, 1971, as notified by the Financial Commissioner's Office, Punjab vide notification No. 744-E(5)-72/2966, dated the 17th February, 1972 in respect of S/Shri Dev Raj Sharma and Gauri Dutt Khachi, Naib Tehsildars of Himachal Pradesh, is re-published as under:—

SUBJECTS

Sl. No.	Name	Designation	Criminal Law	Civil Law	Revenue Law	Treasury Financial Rules	Local Funds	Patwaris Mensuration	Urdu	Subject in which the official (candidate) must pass in order to complete the exam.
1	2	3	4	5	6	7	8	9	10	11

District/State from which appeared: HIMACHAL PRADESH

1.	Shri Dev Raj Sharma	Naib-Tehsildar.	Pass (Higher Standard).	Pass (Lower Standard).	Pass (Lower Standard).	—	Pass (Lower Standard).	Pass	—	—
2.	Shri Gauri Dutt Khachi	Naib-Tehsildar.	Pass (Lower Standard).	Fail	Pass (Lower Standard).	—	Fail	Pass	—	—

By order,

V. K. AGNIHOTRI,
Deputy Secretary.

Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose*, it is hereby notified that land in the locality described below is likely to be acquired for the said* purpose.

This notification is made under the provision of section 4 of Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is, pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification file an objection in writing before the Land Acquisition Collector, Beas-Sutlej Link Project, Mandi district, Himachal Pradesh.

No. 4-8/71-Rev. (Cell) Simla-2, the 28th March, 1972

*Construction of Balancing Reservoir

SPECIFICATION

District: MANDI Tehsil: SUNDERNAGAR

Village	Khasra No.	Area Big. Bis. Bisw.
DADOOH	496	5 15 8
	506	1 7 4
	508	0 8 5
	530/1	0 0 9
	597	0 10 17
	599	4 16 11
	964	0 2 12
	965	0 2 7
	966	0 5 2
	967	0 11 18
	968	0 2 14
	969	0 10 3
	991/2	0 12 6
	992	0 10 14
	993	0 7 18
	994	0 2 2
	998	0 13 5
	999	0 6 17
	1000	0 2 9
	1001	0 2 15
	1002	0 2 11
	1003	0 11 8
Total	..	18 5 15

No. 4-8/71-Rev. (Cell) Simla-2, the 28th March, 1972

*Widening of road from left side of Juni Khad to Gaddi Nallah.

Tehsil: SADAR

PANDOH	1074/1059/981	0 13 13
	1107/983	3 3 12
Total	..	3 17 5

Whereas it appears to the Governor, Himachal Pradesh, that the land is required to be taken by the

Government at public expense for a public purpose*. it is hereby declared that the land described in the specification below is required for the said* purpose.

2. The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provision of section 7 of the said Act, the Land Acquisition Collector, BSL Project, Mandi is hereby directed to take order for the acquisition for the said land.

3. A plan of the land may be inspected in the office of the Land Acquisition Collector, BSL Project, Mandi, Himachal Pradesh.

No. 4-27/71-Rev. II. Simla-2, the 28th March, 1972.

*For procuring impervious material for Pandoh Dam

SPECIFICATION

District: MANDI

Tehsil: SADAR

Village	Khasra No.	Area Big. Bis. Bisw.
UBA	575/477	1 13 10
	478	1 13 3
	479	1 11 4
	480	2 12 4
	482	1 18 3
	483	1 10 15
	484	1 1 4
	485	1 11 14
Total	..	13 1 17

No. 4-12/71-Rev. II. Simla-2, the 28th March, 1972.

*Construction of Sundernagar Hydel Channel.

DAN	144/2	3 2 14
	146/2	0 9 12
	147	0 4 2
	148/2	4 15 18
	160/2	0 12 16
	162/2	0 10 4
	218/2/2	1 7 4
	224/2/2/1	0 10 18
Total	..	11 13 8

No. 4-2/71-Rev.(Cell). Simla-2, the 28th March, 1972.

*Construction of Balancing Reservoir

Tehsil: SUNDERNAGAR

DERDU	232/1	1 8 1
	234/2	0 17 12
	237/1	0 0 5
	239/2/1	0 2 4
	240/2/1	0 2 12
	241/2/2/2/1	0 3 0
Total	..	2 13 14

1	2	3	4	5	1	2	3	4	5
No. 4-19/71-Rev. (Cell). Simla-2, the 28th March, 1972.									
*Construction of Pandoh Dam Reservoir from RL 2900'									
to 2950'.									
Tehsil: CHACHHOT									
BAKHILI	162/2	5	8	3		410	0	13	7
	163	0	15	19		411	0	9	12
	164/1	1	19	15		412	0	5	8
	168/1	1	15	16		413	0	10	0
	170	1	0	5		414	0	5	6
	225/1/2	0	2	3		415	0	14	8
	258	0	0	16		416	0	15	5
	259	0	0	14		417	0	7	32
	260	0	10	7		418	0	10	1
	261	0	1	0		419	0	9	3
	262	0	2	0		420	0	7	8
	263	0	6	5		421	1	1	10
	264	0	1	0		422	0	17	10
	265	0	2	10		423	1	8	17
	266	0	12	0		424	0	14	7
	267	0	6	0		425	0	7	16
	268	0	12	17		426	0	9	2
	269	0	5	12		427	1	4	0
	270	0	9	10		479	0	10	12
	271	0	9	13		495	0	9	16
	272	0	6	6		557	0	6	17
	273	0	11	12		558	0	8	11
	274	1	2	6		558/1	0	12	0
	275	0	3	2		559	1	7	7
	297/1	0	5	5		562	0	9	2
	300/1	3	9	7		563	0	17	7
	304/2	0	4	4		564	0	8	15
	306/1	0	5	8		565	0	10	8
	370	0	13	15		566	0	8	8
	371	0	0	6		567	0	12	6
	376	0	11	13		568	0	6	11
	377	1	9	5		569	0	10	16
	378	0	5	19		570	0	11	0
	379	0	6	8		571	1	8	3
	380	0	8	11		572	0	16	15
	381	0	9	12		573	0	18	8
	382	0	2	2		574	0	18	1
	383	0	6	6		575	0	12	2
	384	0	4	4		576	0	18	2
	385	0	8	8		577	0	15	2
	386	0	4	14		579	0	4	6
	387	0	11	0		580	0	8	8
	388	0	7	4		581	0	15	0
	389	0	2	5		582	0	8	19
	390	0	5	0		583	0	8	18
	391	0	14	9		584	0	10	16
	392	0	11	14		585	0	9	19
	393	0	12	11		586	0	12	0
	394	0	17	11		587	0	10	11
	395	0	11	11		587/1	0	9	9
	396	0	2	2		588	2	18	3
	397	0	2	2		589	0	12	2
	398	0	5	8		590	0	3	19
	399	0	5	16		591	0	7	14
	400	0	1	17		592	1	2	17
	401	0	4	19		593	0	8	9
	402	0	7	6		594	0	8	18
	403	0	9	7		595	0	16	3
	404	0	1	15		596	0	15	14
	405	0	8	5		603	3	6	4
	406	0	6	13		604	0	9	9
	407	0	5	17		605	1	3	13
	408	1	1	18		606	1	0	17
	409	0	9	5		607	0	16	5
						608	1	10	19
						609	1	5	16
						610	0	7	8
						611	0	11	12
						612	0	6	18

1	2	3 4 5	1	2	3 4 5
613		0 6 7		683	0 3 17
614		1 3 1		684	0 7 4
615		0 11 16		685	0 9 0
616		0 15 13		686	0 10 3
618		0 1 8		687	0 14 5
619		0 6 16		688	0 6 15
620		0 3 7		689	0 15 8
621		0 1 16		690	1 16 8
622		0 5 12		691	0 15 2
623		0 8 1		692	0 2 5
624		0 18 18		693	0 3 12
625		0 8 19		694	0 15 0
626		0 7 14		695	0 7 7
627		0 6 15		696	0 16 4
628		0 18 8		697	0 15 5
629		1 6 4		698	0 6 5
630		0 7 0		699	0 8 17
631		0 8 2		700	0 9 13
632		0 7 12		701	0 15 0
633		0 10 6		702	0 5 1
634		0 7 15		703	0 14 1
635		0 7 12		704	0 11 6
636		0 11 17		705	0 11 17
637		1 5 9		706	0 6 9
638		0 13 5		707	0 5 2
639		2 17 10		708	0 10 3
640		0 13 11		709	0 6 6
641/1		2 3 2		710	0 10 0
641		0 0 18		711	0 10 10
642		0 14 16		712	0 7 5
643		0 1 16		713	1 2 0
643/1		0 1 4		714	0 18 3
644		0 3 18		715	0 10 7
645		0 1 0		716	1 0 12
646		0 4 18		717	0 15 12
647		0 0 18		718	0 5 17
648		0 0 9		726/1	2 12 16
649		0 2 15			
651		0 2 11		Total	149 16 10
652		0 11 5			
653		0 5 1			
654		0 13 12			
655		0 4 18			
656		0 1 15			
657		0 13 16			
658		0 4 0			
659		0 4 4			
660		0 7 4			
661		2 11 10			
662		0 4 4			
663		0 1 15			
664		5 6 11			
666		1 4 0			
667		0 19 14			
668		0 15 0			
669		0 7 3			
670		0 3 17			
671		0 9 0			
672		0 9 0			
673		0 14 9			
674		0 6 0			
675		0 5 4			
676		0 8 16			
677		0 7 8			
678		0 2 16			
679		0 4 5			
680		0 3 8			
681		0 2 10			
682		0 4 6			

By order,

L. HMINGLIANA TOCHHAWNG,
Secretary.

Simla-2, the 28th March, 1972

No. 6-2/70 (Rev. I)(III).—In the Himachal Pradesh Government notification of even number, dated the 16th February, 1971 for the words 'Shmt. Dharmo Devi wd/o Shri Rania Ram' occurring against Sl. No. 3, the following words shall be substituted.

"Shmt. Dhanoo Devi wd/o Shri Rania Ram".

Sd/-

Under Secretary.

Simla-2, the 30th March, 1972

No. 4-25/71-Rev. II.—Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose, namely for construction of Balancing Reservoir in village Ropa, Tehsil Sundernagar, District Mandi, Himachal Pradesh, it is hereby declared the land described in the specification below is required for the above purpose.

2. The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the land Acquisition Collector, BSL

Project. Mandi is hereby directed to take order for the acquisition for the said land.

3. A plan of the land may be inspected in the office of the Land Acquisition Collector BSI Project, Mandi, Himachal Pradesh.

SPECIFICATION

District MANDI Tehsil: SUNDERNAGAR

Village 1	Khasra No. 2	Area Sq. Metres 3 4
ROPA	205	6.00
	206	216.00
	214	48.00
	216	14.00
	631	349.00
	690	206.00
	835	18.00
	836	204.00
	852	33.00
	853	146.00
	856	351.00
	857	41.00
	922	681.00
	924	289.00
	926	51.00
	928/1	12.00
	936/2	486.00
	937/2	264.00
	938	324.00
	940/1	249.00
	941	2150.00
	988/1	17.00
	990/1	9.00
	1042/1	63.00
	Total	6227.00
		Square metres
		or
		0.6227 Hectares.

Simla-2, the 3rd April, 1972

No. 4-13/71-Rev. II.—In exercise of the powers vested in him under section 48(1) of the Land Acquisition Act, 1894, the Governor, Himachal Pradesh is pleased to withdraw from the proceedings initiated for the acquisition of 1-10-2 bighas of land in village Phatti Dhalpur, Kothi Maharaj, Tehsil Kulu, District Kulu, vide this Department notification of even number, dated the 4th June, 1971, under section 4 in connection with the construction of approach road to Seismological Observatory.

By order,

L. HMINGLIANA TOCHHAWNG.

Secretary.

Simla-2, the 6th March, 19 72

No. 6-19/69-(Rev. I).—The War Jagir of the annual value of Rs. 100.00 (Rupees one hundred) only sanctioned in favour of Shri Tulsi Ram s/o Shri Inder of village Halana, Tehsil Hamirpur District Kangra, vide this Department notification No. 6-4/69(Rev. I), (II) dated the 30th September, 1969 is hereby cancelled.

By order,

Sd/-

Under Secretary.

TRANSPORT DEPARTMENT

NOTIFICATION

Simla-2, the 30th March, 1972

No. 4-5/69-Tpt.—In continuation of this department notification of even number dated the 4th December, 1971, the Governor Himachal Pradesh is pleased to make the following addition in columns 1, 2, 3 and 4 at the end of the notification referred to above:—

1. Bala Sundri Fair at Trilokpur.
2. District concerned.
3. 3 days.
4. 3 days.

By order,

P. K. MATTOO.

Secretary.

भाग 2—बंधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं
इत्यादि

HORTICULTURE DEPARTMENT

NOTIFICATION

Simla-2, the 29th March, 1972

No. 2-50 71-Udyan-II.—In exercise of the powers vested in me, vide rule 1.26 of Himachal Pradesh Financial Rules, 1971, Vol. I, I hereby declare the District Horticultural Officer, Kulu as Head of Office and Drawing and Disbursing Officer as well as Controlling Officer under Head 31—Agriculture (Non-Plan) E-1-Agricultural Demonstration and Propaganda Scheme.

2. The District Horticultural Officer, Kulu will also exercise the powers of Controlling Officer for the purposes of countersignatures of T.A. and Medical Reimbursement Claims of the staff working under him in the above mentioned scheme.

Sd/-

Director.

OFFICE OF THE ASSISTANT DISTRICT INDUSTRIES OFFICER, BILASPUR HIMACHAL PRADESH

FORM 'H'

DECLARATION UNDER SECTION 24 OF THE ACT

Bilaspur, the 31st March, 1972

No. BIp./ADIO/Loan/N/71/72-6747.—Whereas a notice was served on Shrimati Bimla Devi w/o Karmoo Ram, Village Sungal, P. O. Bilaspur on the 23rd December, 1971 under section 23 of the Punjab State Aid to Industries (H. P. Amendment) Act, 1964, calling upon the said Shrimati Bimla Devi to pay to me the sum of Rs. 127 on or before 31-12-71 and whereas the said sum has not been paid, I hereby declare the sum of Rs. 400 as principal and Interest Rs. 55/- up to 31-3-1972 and further Interest will be charged till the date of payment is due from the said Shrimati Bimla Devi and the property described in the attached schedule is liable for the satisfaction

of the said debt.

SCHEDULE

Personal Bond of M.L.A.

Sd/-

Assistant District Industries Officer, Bilaspur.

FORM 'H'

DECLARATION UNDER SECTION 24 OF THE ACT

Bilaspur, the 31st March, 1972

No. BIp./ADIO/Loan/N/71/72-6770.—Whereas a notice was served on Shri Bhangoo Ram s/o Pohlo Ram, Harijan, V.P.O. Bhager, Tehsil Ghumarwin, District Bilaspur on the 1st August, 1970 under section 23 of the Punjab State Aid to Industries (H. P. Amendment) Act, 1964, calling upon the said Shri Bhangoo Ram to pay to me the sum of Rs. 2142 on or before the 31st August, 1970 and whereas the said sum has not been paid, I hereby declare the sum of Rs. 1428 as principal and interest Rs. 59.15 up to 25th August, 1972 and further interest will be charged till the date of payment is due from the said Shri Bhangoo Ram s/o Shri Pohlo Ram and the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

Land comprises of Khasra No. 116/12/3 Min, 130/38/3/42 Min, 54 measuring 7 bighas only and 1/3rd share of 42/1 bighas situated in village and P.O. Bhager, Tehsil Ghumarwin, District Bilaspur belonging to Shri Bhangoo Ram Loanee.

Sd/-

Assistant District Industries Officer, Bilaspur.

FORM 'H'

DECLARATION UNDER SECTION 24 OF THE ACT

Bilaspur, the 31st March, 1972

No. BIp./ADIO/N/71-72-6799.—Whereas a notice was served on Shri Jagar Nath Gautam s/o Shri Ganya Ram V.P.O. Panjgain, tehsil Sadar, district Bilaspur on the 23rd December, 1971 under section 23 of the Punjab State Aid to Industries, (H. P. Amendment) Act, 1964, calling upon the said Shri Jagar Nath Gautam, to pay to me the sum of Rs. 650 on or before the 31st December, 1971 and whereas the said sum has not been paid, I hereby declare the sum of Rs. 1,000 as principal and Interest Rs. 300 up to 31st March, 1972 and further interest will be charged till the date of payment is due from the said Shri Jagar Nath Gautam and the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

House double storeyed consisting of 6 rooms standing on the land comprised in Khasra No. 1759/1, situated at Village and P.O. Panjgain, Tehsil Sadar, District Bilaspur, belonging to loanee.

Sd/-

Assistant District Industries Officer, Bilaspur.

PUBLIC WORKS DEPARTMENT NOTIFICATIONS

Simla-3, the 3rd April, 1972

No. SE-II-R-54/196-199.—Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for the construction of Ropa-vally road, it is hereby notified that land in the locality described below is likely to be

acquired for the above purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition, Kinnaur district, Kalpa.

SPECIFICATION

District: KINNAUR

Tehsil: POOH

Village	Khasra No.	Area Big. Bis.
ROPA	802	0 4
	803/1	0 1
	793/1	0 16
	794	0 3
	590/1	1 6
	800/1	0 2
	805/1/1	0 7
	792/1	0 3
	792/1	0 11
	790/2	0 3
	594/1	0 2
Total		3 18

Simla-3, the 3rd January, 1972

No. SE-II-R-54/XVII-200-3.—Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose, namely for the construction of Rohru-Chirgaon-Dodra Kwar road, it is hereby declared that the land described in the specification below is required for the above purpose.

The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh Public Works Department is hereby directed to take order for the acquisition of the said land.

A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh Public Works Department, Simla-9.

SPECIFICATION

District: MAHASU

Tehsil: ROHRU

Village	Khasra No.	Area Big. Bis.
DENWARI	782	1 3
	499/1	0 4
	499/2	0 2
	534/1	1 0
Total		2 9

M. L. BANSAL,

Superintending Engineer, 2nd Circle,
H.P.P.W.D., Simla-3.

भाग 3—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाइनेंशियल कमिशनर तथा कमिशनर आफ इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि

गुप्त

भाग 4—स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायत विभाग

PANCHAYATI RAJ DEPARTMENT

NOTIFICATION

Simla-4, the 5th April, 1972

No. 31-2-64-Panch-II. The Governor, Himachal Pradesh is pleased to order that the District Development

and Panchayat Officer, Chamba shall also exercise the powers of the District Panchayat Officer under rule 33 of the Himachal Pradesh Gram Panchayat Rules, 1971 till such time a regular District Panchayat Officer is appointed.

Sd/-
Joint Secretary.

भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

अदालत मीनियर सब-जज, कांगड़ा धर्मशाला

दरख्वास्त बराए हमूल सार्टिफिकेट जानगीनी नं० 5 माल 1971, बाबत तरफा श्री आंकार सिंह मुत्तवफी।

बनाम

1. श्री हंमराज पुत्र आंकार सिंह, 2. सतीश कुमार, 3. अशोक कुमार, 4. राजेन्द्र कुमार, 5. सुरेन्द्र कुमार नावालमान बजरिया श्रीमती अमर देवी, 6. श्रीमती अमर देवी बेवा आंकार सिंह, सकना रावा, मौजा पकलोह, तहसील तेहरा

बनाम: आम जनता।

मूकदमा मन्त्रजा अनवान बाला साइलान ने दरख्वास्त हमूल सार्टिफिकेट जानगीनी मुन्त्रजावाला अदालत हवा में गुजरानी है। लिहाजा बजरिया अस्तहार हजा हर खाम व आम को सूचित किया जाता है कि यदि इसकी निसबत कोई उजर होवे तो बनारीख 25-5-72 हाजिर अदालत हजा होकर पेश करें।

तिथि 30-3-1972.

हस्ताक्षरित,

मीनियर सब-जज,

कांगड़ा (धर्मशाला)।

मोहर।

their tenancy measuring 10 Big. 4 Bis. 10 Bisw. (as entered in the Revenue Records) situated in village Bushahr, Pargana Balh, Tehsil Sadar, District Mandi, in the ownership of Shri Kuldeep Singh etc. (Landowners).

And whereas a sum of Rs. 157.15 is proposed to be allowed as compensation to be paid by the said Shri Chughu (Tenant) to the said Shri Kuldeep Singh etc. (Landowners) for extinction of the rights, title and interest of the said landowners in the land described above.

Now, therefore, in pursuance of Rule 4(1) of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Rules, 1955, it is hereby notified for information of all persons concerned that objections, in regard to the assessment of the said amount of Rs. 157.15 as compensation, shall be received by the undersigned on or before the date specified above, whereafter no objections shall be received.

Any person having any objection to make in the matter, may do so in writing addressed to the undersigned on or before the date specified above, whereafter no objections shall be received.

Given under my hand and seal, this 4th day of April, 1972.

Seal.

C. L. THAKUR,
Compensation Officer.

**STATE BANK OF PATIALA
NOTICE**

Patiala, the 1st April 1972/12th Chaitra, 1894 (Saka)

SBOP No. 70.—The following transfers and changes in the posting of Bank's Supervising Staff are hereby notified:—

1. Shri Tarlochan Singh, Officer Grade II held charge of Nurpur Branch as from the close of business on the 13th January, 1972 to the commencement of business on the 14th February, 1972.
2. Shri C. L. Syal, Officer Grade II held charge of Hamirpur Branch as from the close of business on the 14th December, 1971 to the close of business on the 15th January, 1972.
3. Shri L. M. Kochhar Officer Grade 'A' to be Assistant General Manager as from the commencement of business on 16th March, 1972.

S. D. GANDA,
General Manager.

FORM LR III

Notice under Rule 4 (1) of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Rules, 1955

Before the Compensation Officer, Shri C. L. Thakur, Mandi district, Mandi.

In the matter of Shri Chughu (Tenant).

Versus

Shri Kuldeep Singh etc. Mst. Kunta wd/o Shri Lesar, Khima s/o Dhana r/o Nagar Mandi (Landowners).
To

All persons concerned.

Whereas Shri Chughu (Tenant) has applied under sub-section (1) of section 11 of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953 for grant of proprietor rights in the land of

भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

**LAW DEPARTMENT
NOTIFICATIONS**

Simla-2, the 18th December, 1971

No. 12-11/71-LR.—The Constitution (Twenty-fourth Amendment) Act, 1971, recently passed by the Parliament which has already been published in the Gazette of India, Extra-ordinary, Part II, section I, is hereby republished in the Himachal Pradesh Government Rajpatra for the information of general public.

JOSEPH DINA NATH,
Under Secretary (Judicial).

Assented to on 5-11-1971

**THE CONSTITUTION (TWENTY-FOURTH
AMENDMENT) ACT, 1971**

AN
ACT

further to amend the Constitution of India

BE it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Constitution (Twenty-fourth Amendment) Act, 1971.

2. *Amendment of article 13.*—In article 13 of the Constitution, after clause (3), the following clause shall be inserted, namely:—

“(4) Nothing in this article shall apply to any amendment of this Constitution made under article 368.”

3. *Amendment of article 368.*—Article 368 of the Constitution shall be re-numbered as clause (2) thereof, and—

(a) for the marginal heading to that article, the following marginal heading shall be substituted, namely:—

“Power of Parliament to amend the Constitution and procedure therefor.”;

(b) before clause (2) as so re-numbered, the following clause shall be inserted, namely:—

“(1) Notwithstanding anything in this Constitution, Parliament may in exercise of its constituent power amend by way of addition, variation or repeal any provision of this Constitution in accordance with the procedure laid down in this article.”;

(c) in clause (2) as so re-numbered, for the words “it shall be presented to the President for his assent and upon such assent being given to the Bill,” the words “it shall be presented to the President who shall give his assent to the Bill and thereupon” shall be substituted;

(d) after clause (2) as so re-numbered, the following clause shall be inserted, namely:—

“(3) Nothing in article 13 shall apply to any amendment made under this article.”

Simla-2, the 11th August, 1971

No. 12-11/71-LR.—The following Acts recently passed by the Parliament which have already been published in the Gazette of India, Extraordinary, Part-II, section I, are hereby republished in the Himachal Pradesh Government Rajpatra for the information of general public:—

1. The Gold (Control) Amendment Act, 1971 (21 of 1971).
2. The Salaries and Allowances of Officers of Parliament (Amendment) Act, 1971 (22 of 1971).
3. The Delhi Sikh Gurdwaras (Management) Act, 1971 (24 of 1971).
4. The Maintenance of Internal Security Act, 1971 (26 of 1971).

JOSEPH DINA NATH,
Under Secretary (Judicial).

Assented to on 24-6-1971

THE GOLD (CONTROL) AMENDMENT

ACT, 1971
(ACT NO. 21 OF 1971)

AN
ACT

further to amend the Gold (Control) Act, 1968

BE it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Gold (Control) Amendment Act, 1971.

(2) It shall be deemed to have come into force on the 20th day of May, 1971.

2. *Amendment of section 71.*—In section 71 of the Gold (Control) Act, 1968 (45 of 1968), hereinafter referred to as the principal Act,—

(i) for sub-section (1), the following sub-section shall be, and shall be deemed always to have been, substituted, namely:—

“(1) Any gold in respect of which any provision of this Act or any rule or order made thereunder has been, or is being, or is attempted to be, contravened, together with any package, covering or receptacle in which such gold is found, shall be liable to confiscation:

Provided that where it is established to the satisfaction of the officer adjudging the confiscation that such gold or other thing belongs to a person other than the person who has, by any act or omission, rendered it liable to confiscation, and such act or omission was without the knowledge or connivance of the person to whom it belongs, it shall not be ordered to be confiscated but such other action as is authorised by this Act may be taken against the person who has, by such act or omission rendered it liable to confiscation”;

(ii) for sub-sections (2), (3) and (4), the following sub-sections shall be substituted, namely:—

“(2) Where any package, covering or receptacle referred to in sub-section (1) contains any other goods, such contents shall also be liable to confiscation.

(3) Where any gold is liable to confiscation under sub-section (1), it shall be so liable notwithstanding any change in its form, and where such gold is mixed with other goods in such manner that it cannot be separated from those other goods, the whole of such goods, including the gold shall be liable to confiscation.

- (4) On and from the commencement of the Gold (Control) Amendment Act, 1971, the proviso to sub-section (1) shall also apply to any gold or other thing which is liable to confiscation under sub-section (2) or sub-section (3)."

3. *Amendment of section 73.*—In section 73 of the principal Act, the word "twice" shall be, and shall be deemed always to have been, omitted.

4. *Reopening of past confiscations.*—(1) Where any order made, before the commencement of this Act, for the confiscation of any gold or other thing or giving option to pay fine in lieu thereof is such that it could not have been made if the principal Act, as amended by this Act, were in force on the date on which the said order was made, the officer competent under section 78 to adjudicate such confiscation shall, on an application made to him by the person aggrieved by such order, set aside the order of confiscation or, as the case may be, the order giving option to pay fine in lieu of confiscation, and also any order imposing penalty in addition to confiscation or giving option to pay fine in lieu thereof, and make a fresh adjudication in accordance with the provisions of the principal Act, as amended by this Act.

(2) The power referred to in sub-section (1) shall be exercised by the officer specified therein in relation to the final order of adjudication of confiscation or giving option to pay fine in lieu thereof or imposing any penalty, whether or not such final order was made in appeal under section 80 or in revision under section 81 or section 82.

(3) Every application referred to in sub-section (1) shall be made within ninety days from the commencement of this Act or within such further time, not exceeding ninety days, as the officer specified in that sub-section may, on sufficient cause being shown, allow.

(4) Where, and in so far as, any order for the confiscation of any gold or other thing, or any option given to pay fine in lieu of confiscation, or imposing any penalty is modified or reversed, the officer specified in sub-section (1) shall make an order for such refund or restitution as the circumstances of the case may require:

Provided that where the restitution of any gold or other thing is not practicable, the said authority shall make an order for the payment to the person to whom such restitution is to be made, the market value of such gold or other thing, as on the date on which the fresh adjudication is made.

(5) Nothing in this section shall apply to any confiscation made, option given to pay fine in lieu of confiscation, or penalty imposed under Part XII-A of the Defence of India Rules, 1962.

5. *Validation.*—Notwithstanding any judgment, decree or order of any court, any confiscation made, penalty imposed or fine levied under the Gold (Control) Act, 1968 (45 of 1968), before the commencement of this Act shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been made, imposed or levied in accordance with the provisions of the Gold (Control) Act, 1968, as amended by this Act.

6. *Repeal and savings.*—(1) The Gold (Control) Amendment Ordinance, 1971 (8 of 1971) is hereby repealed.

(2) Notwithstanding such repeal, anything done, any action taken or any order made under the said Ordinance shall be deemed to have been done, taken or made under the corresponding provisions of the Gold (Control) Act, 1968 (45 of 1968), as amended by this Act.

Assented to on 24-6-1971.

THE SALARIES AND ALLOWANCES OF OFFICERS OF PARLIAMENT (AMENDMENT) ACT, 1971

(Act No. 22 of 1971)

AN

ACT

further to amend the Salaries and Allowances of Officers of Parliament Act, 1953.

BE it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Salaries and Allowances of Officers of Parliament (Amendment) Act, 1971.

2. *Substitution of new section for section 3.*—For section 3 of the Salaries and Allowances of Officers of Parliament Act, 1953 (20 of 1953) (hereinafter referred to as the principal Act), the following section shall be substituted, namely:—

"3. *Salaries of officers of Parliament.*—There shall be paid to each officer of Parliament a salary of two thousand, two hundred and fifty rupees per mensem."

3. *Amendment of section 5.*—In section 5 of the principal Act, the words "and to the Deputy Chairman and the Deputy Speaker a sumptuary allowance of two hundred and fifty rupees per mensem" shall be added at the end.

Assented to on 26-6-1971.

THE DELHI SIKH GURDWARAS (MANAGEMENT) ACT, 1971

(Act No. 24 of 1971)

AN

ACT

to provide for the better management of certain Sikh Gurdwaras and Gurdwara property.

BE it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Delhi Sikh Gurdwaras (Management) Act, 1971.

(2) It shall be deemed to have come into force on the 20th day of May, 1971.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) "Administrator" means the Administrator of the Union territory of Delhi appointed by the President under article 239 of the Constitution;

(b) "appointed day" means the 20th day of May, 1971, being the day on which the 'Delhi Sikh Gurdwaras (Management) Ordinance, 1971 (9 of 1971), was promulgated;

(c) "Board" means the Delhi Sikh Gurdwara Board constituted under section 3;

(d) "Committee" means the Gurdwara Prabodhak Committee Delhi, a society registered under the Societies Registration Act, 1860 (21 of 1860);

(e) "Gurdwaras" means the Sikh Gurdwaras situated in the Union territory of Delhi as were, immediately before the appointed day, being managed by or affiliated to the Committee;

(f) "Gurdwara property" means,—

- (i) all movable and immovable property which, immediately before the appointed day, vested or was kept in deposit in the name of the Committee,
- (ii) all property which stands in the name of the Gurdwaras or in the name of present or old managers of the historic Gurdwaras,
- (iii) all offerings in cash or kind made in various Gurdwaras,
- (iv) all property, cash and kind, movable as well as immovable that may be acquired by purchase, exchange or otherwise by the Gurdwaras from time to time,
- (v) all grants, donations or contributions made, from time to time by any person or authority to the Gurdwaras, and includes any actionable claim with respect to such Gurdwara property;
- (g) "Sikh" means a person who professes the Sikh religion or, in the case of a deceased person, who professed the Sikh religion or was known to be a Sikh during his lifetime. If any question arises as to whether any living person is or is not a Sikh, he shall be deemed respectively to be or not to be a Sikh according as he makes or refuses to make in such manner as the Administrator may prescribe by rules the following declaration:—

"I solemnly affirm that I am a Sikh, that I believe in the Guru Granth Sahib, that I believe in the Ten Gurus, and that I have no other religion."

3. *Incorporation of the Board.*—(1) As from the appointed day, there shall be established a Board to be called the Delhi Sikh Gurdwara Board.

(2) The Board shall be a body corporate having perpetual succession and a common seal and shall by the said name sue and be sued.

4. *Composition of the Board.*—(1) The Board shall consist of five members, being citizens of India, to be nominated by the Central Government from amongst persons having knowledge or practical experience in respect of such matters as the following, namely:—

Social service, public affairs, management of public institutions, finance or law.

(2) There shall be a Chairman of the Board who shall be elected by the members from amongst themselves.

(3) A casual vacancy in the office of a member of the Board shall be filled by fresh nomination.

5. *Disqualifications.*—A person shall be disqualified for being nominated as a member of the Board—

- (a) if he is not a Sikh and is less than twenty-one years of age;
- (b) if he is found to be a person of unsound mind;
- (c) if he is an undischarged insolvent;
- (d) if he has been convicted of an offence involving moral turpitude;
- (e) if he has, on any previous occasion, been removed from the office of a member of the Committee or has been removed by order of a competent court from any position of trust either for mismanagement or corruption.

6. *Resignation of Chairman and members.*—The Chairman or any other member of the Board may resign his office by writing under his hand addressed to the Central Government:

Provided that the Chairman or the member shall continue in office until the nomination of his successor is notified.

7. *Removal of Chairman and members.*—(1) The Central Government may, by notification in the Official Gazette, remove the Chairman of the Board or any member thereof if he—

- (a) is or becomes subject to any disqualification; or
- (b) refuses to act, or is incapable of acting or acts in a manner which the Central Government, after hearing any explanation that he may offer, considers to be prejudicial to the interests of the Gurdwaras.

(2) Where the Chairman of the Board is removed under sub-section (1), he shall also cease to be a member of the Board.

8. *Validity of acts of Board not to be questioned by reason of vacancy, etc.*—No act or proceeding of the Board shall be invalid by reason only of the existence of any vacancy amongst its members or any defect in the constitution thereof.

9. *Meetings of the Board.*—(1) The Board shall meet for the transaction of business at such times and places as may be decided by the Board:

Provided that the first meeting of the Board shall be held at such time and place as may be fixed by the Administrator in this behalf.

(2) The Chairman or in his absence any member chosen by the members from amongst themselves shall preside at a meeting of the Board.

(3) Subject to the provisions of this Act, all questions which come before any meeting of the Board shall be decided by a majority of votes of the members present, and in the case of equality of votes the Chairman, or, in his absence, any other person presiding shall have a second or casting vote.

10. *Taking over of management of Gurdwaras, etc. by the Board.*—Notwithstanding any judgment, decree or order of any court or other authority or any proceeding pending before any court or other authority, or anything contained in any law or rules or bye-laws of the Committee, the entire management and control of the Gurdwaras and Gurdwara property shall, as from the appointed day, be taken over and vested in the Board.

11. *Dissolution of the society and transfer of Gurdwara property.*—(1) As from the appointed day, the society known as the Gurdwara Prabandhak Committee, Delhi, and registered under the Societies Registration Act, 1860 (21 of 1860) shall stand dissolved and all Gurdwara property, movable and immovable, and all rights, powers and privileges of the said society which immediately before the appointed day belonged to or were vested in the said society shall vest in the Board and shall be applied for the purposes for which the Board is constituted in accordance with the provisions of this Act.

(2) As from the appointed day, all debts and liabilities of the said society shall stand transferred and attached to the Board and thereafter be discharged and satisfied by the Board.

(3) Any will, deed or other instrument whether made or executed before or after the appointed day, which contains any bequests, gifts, or trust in favour of the said society shall, as from the appointed day, be construed as if the Board were therein named instead of the said society.

12. Duties of the Board.—Subject to the provisions of this Act and the rules made thereunder, it shall be the duty of the Board—

- (i) to arrange for the proper performance of religious rites and ceremonies in the Gurdwaras;
- (ii) to provide facilities for worship by devotees at the Gurdwaras;
- (iii) to ensure safe custody of its funds, movable properties, deposits, offerings in cash or kind and management of all Gurdwara property;
- (iv) to ensure maintenance of order and discipline and proper hygienic conditions in the Gurdwaras;
- (v) to make provision for payment of emoluments to its salaried staff;
- (vi) to manage the historic and other Gurdwaras and the Gurdwara property in such a way as to make them inspiring centres of the Sikh tradition, Sikh culture and Sikh religion;
- (vii) to spread education, especially the knowledge of Panjabi and Gurmukhi, to establish educational institutions and libraries and to give aid to such institutions and stipends to the students, to provide suitable accommodation for the pilgrims, to maintain free kitchen, to open free dispensaries and to do such other religious and charitable acts as the Board thinks fit;
- (viii) to render all help in the cause of the uplift of the Sikh community;
- (ix) to do all such things as may be incidental and conducive to the efficient management of the affairs of Gurdwaras, Gurdwara property or to the convenience of the devotees;
- (x) to perform such other functions as may be prescribed by rules by the Administrator for carrying out the purposes of this Act.

13. Creation of the Gurdwara Fund.—(1) There shall be a Gurdwara Fund into which all receipts and income of the Gurdwara property (including all amounts comprised for the time being in Gurdwara property) shall be credited and out of which all expenses and disbursements of the Board shall be made.

(2) The Gurdwara Fund shall be operated and maintained in accordance with the rules made by the Administrator in this behalf.

14. Directions by the Administrator.—(1) The Administrator may issue such directions, as he may think fit, on questions of policy to be followed by the Board and for issuing such directions, he may call for any report or information from the Board.

(2) In the performance of its functions under this Act, the Board shall be guided by the directions issued under sub-section (1).

15. Penalty. If any person obstructs the Board or any of its officers or servants from taking possession of any Gurdwara property vested in the Board under section 11 or conceals, destroys, mutilates or defaces any book or other documents with intent to evade the provisions of the said section 11, that person shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

16. Protection of action taken in good faith.—No suit, prosecution or other legal proceeding shall lie against the Chairman or any member of the Board or any officer or servant of the Board, for anything which is in good faith done or intended to be done in pursuance of this Act or of any rule or order made thereunder.

17. Power to make rules.—(1) The Administrator may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the manner in which a declaration for the purpose of clause (f) of section 2 shall be made;
- (b) the functions to be performed by the Board and the conditions and restrictions subject to which those functions shall be performed;
- (c) the manner in which the funds belonging to the Board shall be deposited or invested;
- (d) the mode of authentication of orders for payment of money by the Board;
- (e) the form in which the accounts shall be kept by the Board, the audit thereof and publication of such accounts;
- (f) any other matter which has to be, or may be, prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

18. Power of Board to make regulations.—(1) The Board may, with the previous approval of the Administrator, make regulations not inconsistent with the provisions of this Act or the rules made thereunder for carrying out its functions under this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:—

- (a) the manner in which meetings of the Board shall be convened, the quorum for the transaction of any business thereat and the procedure at such meetings;
- (b) the manner in which a majority decision of the Board shall be obtained by circulation to the members of the matter requiring decision;
- (c) the appointment of such officers and servants as may be necessary for the purpose of carrying out the functions of the Board under section 12 and the terms and conditions of their service.

19. Act not to affect rites and practice of Sikh religion.—Nothing contained in this Act shall—

- (a) save as otherwise expressly provided in this Act or the rules made thereunder, affect any honour, emolument or perquisite to which any person is entitled by custom or otherwise in any Gurdwara;
- (b) authorise any interference with the religious or spiritual functions performed in any Gurdwara.

20. Repeal and Savings.—(1) The Delhi Sikh Gurdwaras (Management) Ordinance, 1971 (9 of 1971), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance, shall be deemed to have been done or taken under the corresponding provision of this Act.

Assented to on 2-7-1971.

THE MAINTENANCE OF INTERNAL SECURITY ACT, 1971

(Act No. 26 of 1971)

AN

ACT

to provide for detention in certain cases for the purpose of maintenance of internal security and matters connected therewith.

BE it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:—

1. *Short title and extent.*—(1) This Act may be called the Maintenance of Internal Security Act, 1971.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “appropriate Government” means, as respects a detention order made by the Central Government or a person detained under such order, the Central Government, and as respects a detention order made by a State Government or by an officer subordinate to a State Government or as respects a person detained under such order, the State Government;

(b) “detention order” means an order made under section 3;

(c) “foreigner” has the same meaning as in the Foreigners Act, 1946 (31 of 1946);

(d) “State Government” in relation to a Union territory, means the administrator thereof.

3. *Power to make orders detaining certain persons.*—

(1) The Central Government or the State Government may,—

(a) if satisfied with respect to any person (including a foreigner) that with a view to preventing him from acting in any manner prejudicial to—

(i) the defence of India, the relations of India with foreign powers; or the security of India, or

(ii) the security of the State or the maintenance of public order, or

(iii) the maintenance of supplies and services essential to the community, or

(b) if satisfied with respect to any foreigner that with a view to regulating his continued presence in India or with a view to making arrangements for his expulsion from India,

it is necessary so to do, make an order directing that such person be detained.

(2) Any of the following officers, namely:—

(a) district magistrates,

(b) additional district magistrates specially empowered in this behalf by the State Government,

(c) Commissioners of Police, wherever they have been appointed,

may, if satisfied as provided in sub-clauses (ii) and (iii) of

clause (a) of sub-section (1) exercise the power conferred by the said sub-section.

(3) When any order is made under this section by an officer mentioned in sub-section (2), he shall forthwith report the fact to the State Government to which he is subordinate together with the grounds on which the order has been made and such other particulars as in his opinion have a bearing on the matter, and no such order shall remain in force for more than twelve days after the making thereof unless in the meantime it has been approved by the State Government:

Provided that where under section 8 the grounds of detention are communicated by the authority making the order after five days but not later than fifteen days from the date of detention, this sub-section shall apply subject to the modification that for the words “twelve days” the words “twenty-two days” shall be substituted.

(4) When any order is made or approved by the State Government under this section, the State Government shall, within seven days, report the fact to the Central Government together with the grounds on which the order has been made and such other particulars as in the opinion of the State Government have a bearing on the necessity for the order.

4. *Execution of detention orders.*—A detention order may be executed at any place in India in the manner provided for the execution of warrants of arrest under the Code of Criminal Procedure, 1898 (5 of 1898).

5. *Power to regulate place and conditions of detention.*—Every person in respect of whom a detention order has been made shall be liable—

(a) to be detained in such place and under such conditions, including conditions as to maintenance, discipline and punishment for breaches of discipline, as the appropriate Government may, by general or special order, specify; and

(b) to be removed from one place of detention to another place of detention, whether within the same State or in another State, by order of the appropriate Government:

Provided that no order shall be made by a State Government under clause (b) for the removal of a person from one State to another State except with the consent of the Government of that other State.

6. *Detention orders not to be invalid or inoperative on certain grounds.*—No detention order shall be invalid or inoperative merely by reason—

(a) that the person to be detained thereunder is outside the limits of the territorial jurisdiction of the Government or officer making the order, or

(b) that the place of detention of such person is outside the said limits.

7. *Powers in relation to absconding persons.*—(1) If the Central Government or the State Government or an officer specified in sub-section (2) of section 3, as the case may be, has reason to believe that a person in respect of whom a detention order has been made has absconded or is concealing himself so that the order cannot be executed that Government or officer may—

(a) make a report in writing of the fact to a Presidency Magistrate or a Magistrate of the first class having jurisdiction in the place where the said person ordinarily resides; and thereupon the provisions of sections 87, 88 and 89 of the Code of Criminal Procedure, 1898 (5 of 1898), shall apply in respect of the said person and his

property as if the order directing that he be detained were a warrant issued by the Magistrate;

- (b) by order notified in the Official Gazette direct the said person to appear before such officer, at such place and within such period as may be specified in the order; and if the said person fails to comply with such direction he shall, unless he proves that it was not possible for him to comply therewith and that he had, within the period specified in the order, informed the officer mentioned in the order of the reason which rendered compliance therewith impossible and of his whereabouts, be punishable with imprisonment for a term which may extend to one year or with fine or with both.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (5 of 1898) every offence under clause (b) of sub-section (1) shall be cognizable.

8. *Grounds of order of detention to be disclosed to persons affected by the order.*—(1) When a person is detained in pursuance of a detention order, the authority making the order shall, as soon as may be, but ordinarily not later than five days and in exceptional circumstances and for reasons to be recorded in writing, not later than fifteen days, from the date of detention, communicate to him the grounds on which the order has been made and shall afford him the earliest opportunity of making a representation against the order to the appropriate Government.

(2) Nothing in sub-section (1) shall require the authority to disclose facts which it considers to be against the public interest to disclose.

9. *Constitution of Advisory Boards.*—(1) The Central Government and each State Government shall, whenever necessary, constitute one or more Advisory Boards for the purposes of this Act.

(2) Every such Board shall consist of three persons who are, or have been, or are qualified to be appointed as, Judges of a High Court, and such persons shall be appointed by the Central Government or the State Government, as the case may be.

(3) The appropriate Government shall appoint one of the members of the Advisory Board who is, or has been, a Judge of a High Court to be its Chairman, and in the case of a Union territory the appointment to the Advisory Board, of any person who is a Judge of the High Court of a State shall be with the previous approval of the State Government concerned.

10. *Reference to Advisory Boards.*—Save as otherwise expressly provided in this Act, in every case where a detention order has been made under this Act, the appropriate Government shall, within thirty days from the date of detention under the order, place before the Advisory Board constituted by it under section 9 of the grounds on which the order has been made and the representation, if any, made by the person affected by the order, and in case where the order has been made by an officer, also the report by such officer under sub-section (3) of section 3.

11. *Procedure of Advisory Boards.*—(1) The Advisory Board shall, after considering the materials placed before it and, after calling for such further information as it may deem necessary from the appropriate Government or from any person called for the purpose through the appropriate Government or from the person concerned, and if, in any particular case, it considers it essential so to do or if the person concerned desires to be heard, after hearing him in person, submit its report to the appropriate Government, within ten weeks from the date of detention.

(2) The report of the Advisory Board shall specify in a separate part thereof the opinion of the Advisory Board as to whether or not there is sufficient cause for the detention of the person concerned.

(3) When there is a difference of opinion among the members forming the Advisory Board, the opinion of the majority of such members shall be deemed to be the opinion of the Board.

(4) Nothing in this section shall entitle any person against whom a detention order has been made to appear by any legal practitioner in any matter connected with the reference to the Advisory Board, and the proceedings of the Advisory Board and its report, excepting that part of the report in which the opinion of the Advisory Board is specified, shall be confidential.

12. *Action upon the report of Advisory Board.*—(1) In any case where the Advisory Board has reported that there is in its opinion sufficient cause for the detention of a person, the appropriate Government may confirm the detention order and continue the detention of the person concerned for such period as it thinks fit.

(2) In any case where the Advisory Board has reported that there is in its opinion no sufficient cause for the detention of the person concerned, the appropriate Government shall revoke the detention order and cause the person to be released forthwith.

13. *Maximum period of detention.*—The maximum period for which any person may be detained in pursuance of any detention order which has been confirmed under section 12 shall be twelve months from the date of detention:

Provided that nothing contained in this section shall affect the power of the appropriate Government to revoke or modify the detention order at any earlier time.

14. *Revocation of detention orders.*—(1) Without prejudice to the provisions of section 21 of the General Clauses Act, 1897 (10 of 1897) a detention order may, at any time, be revoked or modified—

(a) notwithstanding that the order has been made by an officer mentioned in sub-section (2) of section 3, by the State Government to which that officer is subordinate or by the Central Government;

(b) notwithstanding that the order has been made by a State Government, by the Central Government.

(2) The revocation or expiry of a detention order shall not bar the making of a fresh detention order under section 3 against the same person in any case where fresh facts have arisen after the date of revocation or expiry on which the Central Government or a State Government or an officer, as the case may be, is satisfied that such an order should be made.

15. *Temporary release of persons detained.*—(1) The appropriate Government may, at any time, direct that any person detained in pursuance of a detention order may be released for any specified period either without conditions or upon such conditions specified in the direction as that person accepts, and may, at any time, cancel his release.

(2) In directing the release of any person under sub-section (1), the appropriate Government may require him to enter into a bond with or without sureties for the due observance of the conditions, specified in the direction.

(3) Any person released under sub-section (1) shall surrender himself at the time and place, and to the authority, specified in the order directing his release or cancelling his release, as the case may be.

(4) If any person fails without sufficient cause to surrender himself in the manner specified in sub-section (3), he shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

(5) If any person released under sub-section (1) fails to fulfil any of the conditions imposed upon him under the said sub-section or in the bond entered into by him, the bond shall be declared to be forfeited and any person bound thereby shall be liable to pay the penalty thereof.

16. *Protection of action taken in good faith*—No suit or other legal proceeding shall lie against the Central Government or a State Government, and no suit, prosecution or other legal proceeding shall lie against any person, for anything in good faith done or intended to be done in pursuance of this Act.

17. *Duration of detention in certain cases of foreigners*—(1) Notwithstanding anything contained in this Act, any foreigner in respect of whom an order of detention has been made under this Act may be detained without obtaining the opinion of the Advisory Board for a period longer than three months, but not exceeding two years from the date of his detention, in any of the following classes of cases, or under any of the following circumstances, namely:—

(a) where such foreigner enters or attempts to enter the territory of India or is found therein with arms, ammunition or explosives, or

(b) where such foreigner enters or attempts to enter a notified area or is found therein in contravention of section 3 of the Criminal Law Amendment Act, 1961 (23 of 1961), or

(c) where such foreigner enters or attempts to enter the local limits or is found within the local limits of such area adjoining the borders of India as may be specified in an order made under section 139 of the Border Security Force Act, 1968 (47 of 1968), without a valid travel document, or

(d) where the Central Government has reason to believe that such foreigner commits or is likely to commit any offence under the Official Secrets Act, 1923 (19 of 1923).

(2) In the case of any foreigner to whom sub-section (1) applies, sections 10 to 13 shall have effect subject to the following modifications, namely:—

(a) in section 10, for the words "shall, within thirty days", the words "may, at any time prior to but in no case later than three months before the expiration of two years" shall be substituted;

(b) in section 11,—

(i) in sub-section (1), for the words "from the date of detention", the words "from the date on which reference is made to it" shall be substituted;

(ii) in sub-section (2), for the words "the detention of the person concerned", the words "the continued detention of the person concerned" shall be substituted;

(c) in section 12, for the words "for the detention" in both the places where they occur, the words "for the continued detention" shall be substituted;

(d) in section 13, for the words "twelve months", the words "three years" shall be substituted.

18. *Repeal and saving*—(1) The Maintenance of Internal Security Ordinance, 1971 (Ord. 5 of 1971), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act as if this Act had come into force on the 7th day of May, 1971.

Simla-2, the 30th July, 1971

No. 12-11/71-LR.—The Calcutta Tramways Company (Taking over of Management) Amendment Ordinance, 1971 (10 of 1971), promulgated by the President of India and published in the Gazette of India Extraordinary, Part II, Section 1, is hereby republished in the Himachal Pradesh Government Rajpatra for the information of general public.

JOSEPH DINA NATH,
Under Secretary (Judicial).

Assented to on 17-7-1971.

THE CALCUTTA TRAMWAYS COMPANY
(TAKING OVER OF MANAGEMENT) AMENDMENT ORDINANCE, 1971

(No. 10 OF 1971)

Promulgated by the President in the Twenty-second Year of the Republic of India.

An Ordinance further to amend the Calcutta Tramways Company (Taking over of Management) Act, 1967.

WHEREAS the President has, by a proclamation made under article 356 of the Constitution, published with the notification of the Government of India in the Ministry of Home Affairs, No. G.S.R.984, dated the 29th June, 1971, assumed to himself all functions of the State Government of West Bengal and all powers vested in, or exercisable by, the Governor of that State, and the said proclamation is still in operation:

AND WHEREAS under the said proclamation references in article 213 of the Constitution to the Governor and to the Legislature of the State of West Bengal or the House thereof, shall be construed as references to the President and to Parliament or the Houses thereof respectively;

AND WHEREAS both Houses of Parliament are not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action:

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement*—(1) This Ordinance may be called the Calcutta Tramways Company (Taking over of Management) Amendment Ordinance, 1971.

(2) It shall come into force at once.

2. *Amendment of section 3*—In section 3 of the Calcutta Tramways Company (Taking over of Management) Act, 1967 (West Bengal Act XVI of 1967) (hereinafter referred to as the principal Act), in sub-section (2),—

(i) for the words "four years", the words "five years" shall be substituted;

(ii) in the proviso, for the words "four years", words "five years" shall be substituted.

3. *Amendment of section 6*—In section 6 of the principal Act, for the words "four years", the words "five years" shall be substituted.

V. V. GIRI,
President.

N.D.P. NAMBOODIRIPAD,
Joint Secretary to the Government of India.

Simla-2, the 17th February, 1972

No. 12-11/71-LR. -The Defence of India (Requisitioning and Acquisition of Immovable Property) Rules, 1971, made by the Central Government which have already been published in the Gazette of India, Extraordinary, part II, section 3 sub-section (c), dated the 17th December, 1971 are hereby republished in the Himachal Pradesh Government Rajpatra for the information of general public.

JOSEPH DINA NATH,

Under Secretary (Judicial).

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS
NOTIFICATION**

New Delhi, the 16th December, 1971

**THE DEFENCE OF INDIA (REQUISITIONING AND
ACQUISITION OF IMMOVABLE PROPERTY)
RULES, 1971**

G.S.R. 1888. -In exercise of the powers conferred by section 32 of the Defence of India Act, 1971 (42 of 1971), the Central Government hereby makes the following rules, namely:-

1. *Short title and commencement.* -(1) These rules may be called the Defence of India (Requisitioning and Acquisition of Immovable Property) Rules, 1971.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. *Definitions.* In these rules, unless the context otherwise requires,

(a) "Act" means the Defence of India Act, 1971 (42 of 1971);

(b) "competent authority" means—

(i) the Central Government or State Government, as the case may be;

(ii) any officer or authority subordinate to the Central Government or a State Government to whom the powers conferred or duties imposed on the Central Government or the State Government as the case may be, under the relevant provisions of Chapter V of the Act have been delegated under section 34; or

(iii) any officer or authority directed by the Central Government or a State Government by notification in the Official Gazette to exercise or perform, in such circumstances and under such conditions if any, as may be specified in the notification, the powers or duties of the competent authority under any provision of these rules;

(c) "Court" means the principal civil court of original jurisdiction in the district in which the property is situated;

(d) "person interested" shall have the same meaning as in the Explanation to section 24;

(e) "section" means a section of the Act.

3. *Power to require delivery of possession of immovable property.* Whenever any immovable property is requisitioned, the competent authority may, by order, require the owner or person in possession of such property to deliver possession thereof after removing therefrom any furniture or other articles, to such person and within such time as may be specified in the order.

4. *Procedure for taking possession.*—Where any person either remains in possession of any requisitioned

immovable property or fails to remove therefrom any furniture or other articles belonging to him in contravention of any order of requisition, the competent authority may, subject to the provisions of rule 18, enter into or take possession of the immovable property and while taking possession of the property, the competent authority shall make, in the presence of two witnesses, an inventory of the furniture and other articles found therein and after giving not less than three days' notice for removing such furniture or other articles and after proclamation in such manner as that authority considers sufficient, may dispose of such furniture and other articles by public auction and proceeds of such sale, at any, shall, after deducting the expenses of the sale, be deposited in the Court for payment to such person or persons as are entitled to receive the same.

5. *Use of requisitioned immovable property.*—An immovable property requisitioned for any of the purposes specified in sub-section (1) of section 23 may be used for one or more purposes specified in that sub-section.

6. *Repairs to requisitioned immovable property.*—(1) The competent authority may, by order in writing, require any person interested to execute to such repairs to the immovable property (being repairs which are necessary and are usually made by owners of immovable properties in the locality in which the requisitioned property is situated) and within such a time as may be specified in the order, and if the person interested fails to execute any repairs in pursuance of such order, the competent authority may cause the repairs specified in the order to be executed and the expenses of such repairs shall be deducted from the compensation payable to the person interested, but the amount to be deducted shall in no case exceed the amount of compensation payable for a month as determined in accordance with clause (i) of section 24.

(2) If the competent authority does not consider it to be in the public interest, to allow entry into the property by the person interested or his agents or workmen for carrying out the requisite repairs, such repairs may be carried out by the competent authority and the expenses thereof shall be deducted, in accordance with the provisions of sub-rule (1), from the amount of compensation payable in respect of the property.

7. *Release from requisition.*—(1) Where any person to whom the possession of any immovable property to be released from requisition, is to be given, fails to accept delivery of the property, or cannot be found and has no legal agent or other person empowered to accept delivery on his behalf, the competent authority shall cause a notice declaring that the property is released from requisition, to be served by registered post, at the last known address of such person and a copy of such notice shall be fixed on some conspicuous part of the immovable property and the purport of the notice shall also be proclaimed by beat of drum or otherwise as the competent authority may consider sufficient.

(2) On and from the date of service, and proclamation, of the notice in the manner referred to in sub-rule (1), the immovable property shall cease to be subject to requisition and shall be deemed to have been delivered to the person entitled to the possession thereof and the Central Government shall not be liable for any compensation or other claim in respect of the property for any period after the said date.

(3) Where any requisitioned immovable property or any material part thereof is wholly destroyed or rendered substantially and permanently unfit for the purpose for which it was requisitioned by reason of fire, earthquake, tempest, flood or violence of any army or of

a mob or other irresistible force, the property or any such part thereof, shall, at the option of the competent authority, be deemed to have been released from requisition and the Central Government shall not be liable to restore the immovable property to the same conditions as it was at the time of the requisition.

8. Compensation.—The competent authority shall, as soon as may be after the immovable property has been requisitioned, released from requisition or acquired, determine the compensation payable under section 24 or section 31, as the case may be, and shall also apportion it where necessary, among the persons known or believed to be interested in the property of whom or of whose claim to compensation he has information, and such determination shall be communicated by the competent authority to the person or persons in whose favour the determination has been made.

9. Application for arbitration.—(1) A person aggrieved by any determination of the amount of compensation by the competent authority shall, within thirty days of the receipt of the communication of such determination, make an application in writing to the competent authority for referring the matter to an arbitrator stating therein the reasons for his being aggrieved.

(2) Where no such application is made within the period of thirty days aforesaid and the amount of compensation as determined by the competent authority has not been accepted by the person or persons in whose favour the determination has been made or where there is dispute as to the title to receive the compensation or as to the apportionment of the amount of compensation, the competent authority may deposit the amount in the Court.

10. Appointment of arbitrator.—(1) On receipt of the application for reference to arbitration or where there is a dispute as to the title to receive the compensation or as to the apportionment of the amount thereof, the competent authority shall appoint as arbitrator a person who is qualified under, clause (2) of article 217 of the Constitution to be appointed as a Judge of a High Court.

(2) Any such arbitrator shall complete the arbitration proceedings and give his award within four months:

Provided that the Central Government may, if it thinks fit, enlarge the period for making the award whether before or after the expiry of the time for making the award.

11. Change of arbitrator.—Where before an arbitrator is able to finish his arbitration proceedings and make his award, a new arbitrator is appointed, the new arbitrator may deal with the evidence taken down by his predecessor and if such evidence had been taken down by him and may proceed with the arbitration proceedings from the stage at which his predecessor left it.

12. Arbitrator to have certain powers of civil courts, and the procedure to be followed in arbitration proceedings.—(1) The arbitrator shall have all the powers of a civil court, while trying a suit under the Code of Civil Procedure, 1908 (5 of 1908), in respect of the following matters namely:—

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of any document;
- (c) reception of evidence on affidavits;
- (d) requisitioning any public record from any court or office;
- (e) issuing commissions for examination of witnesses.

(2) Where the reference to the arbitrator is with regard to the amount of compensation to be paid, he shall, after receiving such evidence as to the market price of such property as may be adduced before him and after making such enquiries as he may deem fit, and after giving to the parties to the dispute a reasonable opportunity of being heard determine the price of such property in accordance with section 24 or sub-section (1) of section 31, as the case may be, and make an award as to the amount of compensation payable for the requisitioning or acquisition of such property.

(3) Where the reference to the arbitrator is with regard to the title of any person to receive compensation, he shall, after receiving such evidence as to the title of such person to receive such compensation as may be adduced before him and after making such enquiries as he may deem fit and after giving to the parties to the dispute a reasonable opportunity of being heard, determine and make an award as to the title of such person to receive the compensation.

(4) Where the reference to the arbitrator is with regard to the apportionment of the amount of compensation, he shall, after receiving such evidence as to the rights and interests of the claimants with regard to such amount and after making such enquiries that he may deem fit and after giving to the parties to the dispute a reasonable opportunity of being heard, determine the rights or interests of the claimants with regard to such amount and after such determination, apportion the amount of compensation between the claimants entitled thereto in accordance with their rights and interests as so determined.

13. The award.—(1) The arbitrator shall, in relation to a matter referred to him for arbitration, make his award in writing and sign it, setting forth therein the grounds for his decision.

(2) The arbitrator shall at the same time deliver or send by registered post to all the parties to the reference and to the competent authority a copy of the award together with the grounds on which the award is based.

14. Costs.—(1) The award shall also state the amount of costs incurred by each party in the proceedings.

(2) Where the compensation determined by the arbitrator does not exceed the sum offered by the competent authority, the person interested shall be directed to bear his own costs and to pay as well the costs of the competent authority.

(3) Where the compensation determined by the arbitrator is not less than the amount claimed by the person interested and it is proved that the person interested made a similar claim in the inquiry preceding the competent authority's determination, the competent authority shall be directed to bear his own costs as well as those of the person interested.

(4) Subject as aforesaid, the apportionment of costs shall be in discretion of the arbitrator.

(5) Where the costs of the competent authority have been ordered to be paid by the person interested, the competent authority may deduct the amount of such costs from the compensation amount payable to such person.

15. Payment.—(1) The compensation determined in accordance with clause (1) of section 24 of the Act shall be payable on the expiry of every three months in respect of a building or an urban land and on the expiry of every six months in respect of rural land.

(2) Where in the opinion of the competent authority there is likely to be delay in determination of the compensation or where the person interested is aggrieved by the amount of compensation determined by the competent authority, the competent authority may, at his discretion, make "on account" payment after taking such security as that authority thinks fit, up to eighty per cent of the amount which in his opinion is likely to be determined as compensation and such "on account" payment as relates to compensation referred to in sub-rule (1), shall, as far as may be, be made in accordance with the provision of that rule.

16. *Service of notice and orders.*—(1) Save as otherwise provided in Chapter V of the Act or in these rules, every notice or order issued or made under that Chapter or these rules shall.

(a) in the case of any notice or order of a general nature or affecting a class of persons, be published in the Official Gazette;

(b) in the case of any notice or order affecting an individual corporation or firm, be served in the manner provided for the service of summons in rule 2 of Order XXIX or rule 3 of Order XXX as the case may be, in the First Schedule of the Code of Civil Procedure, 1908 (5 of 1908); and

(c) in the case of any notice or order affecting a person (not being a corporation or a firm), be served on such person—

(i) by delivering or tendering it to that person, or

(ii) if it cannot be so delivered or tendered by delivering or tendering it to any officer of such person or any adult male member of the family of such person, or by affixing a copy thereof on the outer door or on some conspicuous part of the premises in which that person is known to have last resided or carried on business or personally worked for gain, or failing service by these means,

(iii) by registered post.

(2) Where the ownership of the immovable property is in the dispute or where the persons interested in the property are not readily traceable and the notice or order cannot be served without undue delay, the notice or order may be served by publishing it in the Official Gazette, and where possible, by affixing a copy thereof on any conspicuous part of the property to which it relates.

17. *Court deposits.*—If any money is deposited in Court under these rules, the Court shall deal with it in the manner laid down in sections 32 and 33 of the Land Acquisition Act, 1894 (1 of 1894).

18. *Inspection of immovable property.*—The competent authority shall not, as far as possible, in exercise of the powers conferred by sections 26 and 27, enter upon any immovable property after sunset and before sunrise.

[No. E. 45/16/71-Poll.-I(B).]

T. C. A. SRINIVASAVARADAN,
Joint Secretary.

NOTIFICATION

Simla-2, the 17th February, 1972

No. 12-11/71-I.R.—The Constitution (Twenty-sixth Amendment) Act, 1971, recently passed by the Parlia-

ment which has already been published in the Gazette of India, Extraordinary, part II, section I, is hereby republished in the Himachal Pradesh Government Rajpatra for the information of general public.

3

JOSEPH DINA NATH,
Under Secretary (Judicial).

THE CONSTITUTION (TWENTY-SIXTH AMENDMENT) ACT, 1971

AN
ACT

further to amend the Constitution of India.

Be it enacted by Parliament in the Twenty-second year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Constitution (Twenty-sixth Amendment) Act, 1971.

2. *Omission of articles 291 and 362.*—Articles 291 and 362 of the Constitution shall be omitted.

3. *Insertion of new article 363A.*—After article 363 of the Constitution, the following article shall be inserted, namely:—

“363A. *Recognition granted to Rulers of Indian States to cease and privy purses to be abolished.*—Notwithstanding anything in this Constitution or in any law for the time being in force—

(a) the Prince, Chief or other person who, at any time before the commencement of the Constitution (Twenty-sixth Amendment) Act, 1971, was recognised by the President as the Ruler of an Indian State or any person who, at any time before such commencement, was recognised by the President as the successor of such Ruler shall, on and from such commencement, cease to be recognised as such Ruler or the successor of such Ruler;

(b) on and from the commencement of the Constitution (Twenty-sixth Amendment) Act, 1971, privy purse is abolished and all rights, liabilities and obligations in respect of privy purse are extinguished and accordingly the Ruler or, as the case may be, the successor of such Ruler, referred to in clause (a) or any other person shall not be paid any sum as privy purse.”

4. *Amendment of article 366.*—In article 366 of the Constitution, for clause (22), the following clause shall be substituted, namely:—

“(22) “Ruler” means the Prince, Chief or other person who, at any time before the commencement of the Constitution (Twenty-sixth Amendment) Act, 1971, was recognised by the President as the Ruler of an Indian State or any person who, at any time before such commencement, was recognised by the President as the successor of such Ruler.”

Simla-2, the 10th June, 1971

No. 12-11/71-LR.—The Labour Provident Fund Laws (Amendment) Act, 1971, recently passed by the Parliament which has already been published in the Gazette of India, Extraordinary Part-II, section 1, is hereby republished in the Himachal Pradesh Government Rajpatra for the information of general public.

JOSEPH BINA NATH,
Under Secretary (Judicial).

Assented to on 23-4-1971

THE LABOUR PROVIDENT FUND LAWS
(AMENDMENT) ACT, 1971
(Act No. 16 of 1971)

AN
ACT

further to amend the Coal Mines Provident Fund and Bonus Schemes Act, 1948, and the Employees' Provident Funds Act, 1952.

BE it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Labour Provident Fund Laws (Amendment) Act, 1971.

2. *Amendment of long title.*—In the long title to the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), (hereinafter referred to as the Coal Mines Act), after the words "Provident Fund Scheme" the words "a Family Pension Scheme" shall be inserted.

3. *Amendment of preamble.*—In the preamble to the Coal Mines Act, the first paragraph shall be omitted.

4. *Amendment of section 1.*—In sub-section (1) of section 1 of the Coal Mines Act, after the words "Provident Fund", the words, "Family Pension" shall be inserted.

5. *Amendment of section 2.*—In section 2 of the Coal Mines Act, after clause (e), the following clause shall be inserted, namely:—

"(ee) "Family Pension Fund" means the Family Pension Fund established under the Coal Mines Family Pension Scheme framed under sub-section (1) of section 3E;".

6. *Amendment of section 3A.*—In section 3A of the Coal Mines Act,—

(a) in sub-section (3), after the words "The Board shall", the words, figure and letter "c", subject to the provisions of section 3E," shall be inserted;

(b) in sub-section (4), for the words "the Scheme aforesaid", the words "the Coal Mines Provident Fund Scheme and the Coal Mines Family Pension Scheme" shall be substituted.

7. *Amendment of section 3C.*—In sub-section (3) of section 3C of the Coal Mines Act, after the words "Coal Mines Provident Fund Scheme", the words "and the Coal Mines Family Pension Scheme" shall be inserted.

8. *Insertion of new sections 3E and 3F.*—After section 3A of the Coal Mines Act, the following sections shall be inserted, namely:—

"3E. *Coal Mines Family Pension Scheme.*—(1) The Central Government may, by notification in the Official Gazette, frame a scheme to be called the Coal Mines Family Pension Scheme for the purpose of providing family pension and life assurance benefits to such employees as are covered by

the Coal Mines Provident Fund Scheme.

(2) There shall be established, as soon as may be after the framing of the aforesaid Scheme, a Family Pension Fund into which shall be paid from time to time in respect of every such employee—

(a) such portion, not exceeding one-fourth, of the amount payable under sub-section (1) of section 10D as the employer's contribution as well as the employees' contribution, as may be specified in the said Scheme, and

(b) such sums, being not less than the aggregate of the amount payable in pursuance of clause (a) out of the employer's contribution under sub-section (1) of section 10D and an amount equivalent to one-sixteenth of the employer's contribution under that sub-section in respect of such employee, as the Central Government may, after due appropriation made by Parliament by law in this behalf, specify.

(3) The Family Pension Fund shall vest in and be administered by the Board.

(4) Any scheme framed under the provisions of sub-section (1) may provide for all or any of the matters specified in the Second Schedule.

3F. *Special grant by Central Government.*—The Central Government shall, after due appropriation made by Parliament by law in this behalf, pay such further sums as may be determined by it into the Family Pension Fund to meet all the expenses in connection with the administration of the Coal Mines Family Pension Scheme other than the expenses towards the cost of any benefits provided by or under the said Scheme."

9. *Amendment of section 5.*—In sub-section (2) of section 5 of the Coal Mines Act, for the words "Second Schedule", the words "Third Schedule" shall be substituted.

10. *Amendment of section 8.*—In section 8 of the Coal Mines Act, after sub-section (2), the following sub-section shall be inserted, namely:—

"(3) The provisions of sub-section (1) and sub-section (2) shall, so far as may be, apply in relation to the family pension or any other amount payable under the Coal Mines Family Pension Scheme as they apply in relation to any amount payable out of the Fund."

11. *Insertion of new Second Schedule.*—The Second Schedule to the Coal Mines Act shall be re-numbered as the Third Schedule and before the Third Schedule as so re-numbered, the following schedule shall be inserted, namely:—

THE SECOND SCHEDULE

(See section 3E)

MATTERS TO BE PROVIDED FOR IN THE COAL MINES FAMILY PENSION SCHEME

1. The employees or class of employees to whom the Coal Mines Family Pension Scheme shall apply and the time within which option to join that Scheme shall be exercised by those employees to whom the said Scheme does not apply.

2. Subject to the provisions of section 3E(2), the portion of employer's and employee's contribution which may be credited to the Family Pension Fund and the manner in which it may be credited.

3. The contribution by the Central Government to

the Family Pension Fund and the manner in which such contribution is to be made.

4. The manner in which the accounts of the Family Pension Fund shall be kept and the investment of moneys belonging to the Family Pension Fund with the Central Government at a rate of interest which shall not be less than five and a half per centum per annum.

5. The form in which an employee shall furnish particulars about himself and his family whenever required.

6. The nomination of a person to receive the assurance amount due to the employee after his death and the cancellation or variation of such nomination.

7. The registers and records to be maintained in respect of employees, the form or design of any identity card, token or disc for the purpose of identifying any employee, or his nominee or a member of his family entitled to receive the pension.

8. The scales of family pension and the assurance amount.

9. The mode of disbursement of family pension and the arrangements to be entered into with such disbursing agencies as may be specified for the purpose.

10. The manner in which the expenses incurred in connection with the administration of the Coal Mines Family Pension Scheme may be paid by the Central Government to the Board.

11. Any other matter which is to be provided for in the Coal Mines Family Pension Scheme or which may be necessary or proper for the purpose of implementing the Coal Mines Family Pension Scheme.

12. *Amendment of long title.* In the long title to the Employees' Provident Funds Act, 1952 (19 of 1952) (hereinafter referred to as the Provident Funds Act), after the words "provident funds", the words "and family pension fund" shall be inserted.

13. *Amendment of section.* In section 1 of the Provident Funds Act,

(a) in sub-section (1), after the words "Provident Funds", the words "and Family Pension Fund" shall be inserted;

(b) the proviso to sub-section (5) shall be omitted.

14. *Amendment of section 2.* In section 2 of the Provident Funds Act, —

(a) after clause (g), the following clauses shall be inserted, namely:

(gg) "Family Pension Fund" means the Family Pension Fund established under the Family Pension Scheme;

(ggg) "Family Pension Scheme" means the Employees' Family Pension Scheme framed under section 6A;

(b) for clause (l), the following clause shall be substituted, namely:—

(l) "Scheme" means the Employees' Provident Fund Scheme framed under section 5.

15. *Amendment of section 5A.*—In section 5A of the Provident Funds Act, —

(a) in sub-section (3), after the words "The Central Board shall", the words, figure and letter "subject to the provisions of section 6A," shall be inserted;

(b) in sub-section (4), after the words "of the Scheme", the words "and the Family Pension Scheme" shall be inserted.

16. *Amendment of section 5D.*—In sub-section (3) of section 5D of the Provident Funds Act, after the words "the Scheme", the words "and the Family Pension

Scheme" shall be inserted.

17. *Amendment of section 5E.*—In section 5E of the Provident Funds Act, after the words "the Scheme", the words "and the Family Pension Scheme" shall be inserted.

18. *Insertion of new sections 6A and 6B.*—After section 6 of the Provident Funds Act, the following sections shall be inserted, namely:—

"6A. *Employees' Family Pension Scheme.*—(1) The Central Government may, by notification in the Official Gazette, frame a scheme to be called the Employees' Family Pension Scheme for the purpose of providing family pension and life assurance benefits to the employees of any establishment or class of establishments to which this Act applies.

(2) There shall be established, as soon as may be after the framing of the Family Pension Scheme, a Family Pension Fund into which shall be paid from time to time in respect of every such employee—

(a) such portion, not exceeding one-fourth, of the amount payable under section 6 as contribution by the employer as well as the employee, as may be specified in the Family Pension Scheme,

(b) such sums as are payable by the employer of an exempted establishment under sub-section (6) of section 17, and

(c) such sums, being not less than the amount payable in pursuance of clause (a) out of the employer's contribution under section 6, as the Central Government may, after due appropriation made by Parliament by law in this behalf, specify.

(3) The Family Pension Fund shall vest in and be administered by the Central Board.

(4) The Family Pension Scheme may provide for all or any of the matters specified in Schedule III.

(5) The Family Pension Scheme may provide that any of its provisions shall take effect either prospectively or retrospectively on such date as may be specified in this behalf in that Scheme.

6B. *Special grant by Central Government.*—The Central Government shall, after due appropriation made by Parliament by law in this behalf, pay such further sums as may be determined by it into the Family Pension Fund to meet all the expenses in connection with the administration of the Family Pension Scheme other than the expenses towards the cost of any benefits provided by or under the said Scheme."

19. *Amendment of section 7.*—In sub-section (1) of section 7 of the Provident Funds Act, for the words "any Scheme framed under this Act", the words "the Scheme or the Family Pension Scheme, as the case may be" shall be substituted.

20. *Amendment of section 7A.*—In sub-section (1) of section 7A of the Provident Funds Act, for the words "or of the Scheme", the words "the Scheme or the Family Pension Scheme, as the case may be," shall be substituted.

21. *Amendment of section 8.*—In clause (b) of section 8 of the Provident Funds Act, for the words and figures "under section 17", the words and figures "under section 17 or in respect of the contribution payable by him towards the Family Pension Scheme under the said section 17" shall be substituted.

22. *Amendment of section 10.*—In section 10 of the Provident Funds Act, after sub-section (2), the following sub-section shall be inserted, namely:—

"(3) The provisions of sub-section (1) and sub-section (2) shall, so far as may be, apply in relation to the

family pension or any other amount payable under the Family Pension Scheme as they apply in relation to any amount payable out of the Fund."

23. *Amendment of section 11.*—In clause (b) of section 11 of the Provident Funds Act, after the words "under the rules of the provident fund," the words, brackets and figures "any contribution payable by him towards the Family Pension Fund under sub-section (6) of section 17;" shall be inserted.

24. *Amendment of section 13.*—In section 13 of the Provident Funds Act,—

(a) in sub-section (1), for the words "or of any Scheme", the words "the Scheme or the Family Pension Scheme" shall be substituted;

(b) sub-section (2A) shall be re-numbered as sub-section (2B) and before sub-section (2B) as so re-numbered, the following sub-section shall be inserted, namely:—

"(2A) Any Inspector appointed under sub-section (1) may, for the purpose of inquiring into the correctness of any information furnished in connection with the Family Pension Scheme or for the purpose of ascertaining whether any of the provisions of this Act or of the Family Pension Scheme have been complied with in respect of an establishment to which the Family Pension Scheme applies, exercise all or any of the powers conferred on him under clause (a), clause (b), or clause (c), or clause (d) of sub-section (2).";

(c) in sub-section (2B) as so re-numbered, after the words, brackets and figure "under sub-section (2)", the words, brackets, figure and letter "or under sub-section (2A) as the case may be," shall be inserted.

25. *Amendment of section 14.*—In section 14 of the Provident Funds Act,—

(a) in sub-section (1), for the words "or under any Scheme", the words "the Scheme or the Family Pension Scheme" shall be substituted;

(b) in sub-section (2), for the words "A scheme framed under this Act", the words "The Scheme or the Family Pension Scheme" shall be substituted;

(c) in sub-section (3), for the words "or under any scheme", the words "the Scheme or the Family Pension Scheme" shall be substituted.

26. *Amendment of section 14A.*—In section 14A of the Provident Funds Act,—

(a) in sub-section (1), for the words "or the Scheme made thereunder", the words "the Scheme or the Family Pension Scheme" shall be substituted;

(b) in sub-section (2), for the words "or the Scheme thereunder", the words "the Scheme or the Family Pension Scheme" shall be substituted.

27. *Amendment of section 17.*—In section 17 of the Provident Funds Act,—

(a) after sub-section (1), the following sub-section shall be inserted, namely:—

"(1A) The Central Government may, by notification in the Official Gazette, and subject to such conditions as may be specified in the notification, exempt from the operation of all or any of the provisions of the Family Pension Scheme, any establishment if the employees of such establishment are in enjoyment of benefits in the nature of family

pension, and the Central Government is of opinion that such benefits are on the whole not less favourable to such employees than the benefits provided under this Act or the Family Pension Scheme in relation to employees in any other establishment of a similar character.";

(b) in sub-section (4),—

(i) in clause (a), the word "and" occurring at the end shall be omitted;

(ii) after clause (a), the following clause shall be inserted, namely:—

"(aa) in the case of an exemption granted under sub-section (1A), with any of the conditions imposed under that sub-section: and";

(c) for sub-section (5), the following sub-sections shall be substituted, namely:—

"(5) Where any exemption granted under sub-section (1), sub-section (1A) or sub-section (2) is cancelled, the amount of accumulations to the credit of every employee to whom such exemption applied, in the provident fund or the family pension fund of the establishment in which he is employed shall be transferred within such time and in such manner, as may be specified in the Scheme or the Family Pension Scheme to the credit of his account in the Fund or the Family Pension Fund, as the case may be.

(6) Subject to the provisions of sub-section (1A), the employer of an exempted establishment or of an exempted employee of an establishment to which the provisions of the Family Pension Scheme apply, shall, notwithstanding any exemption granted under sub-section (1) or sub-section (2), pay to the Family Pension Fund such portion of the employer's contribution as well as the employee's contribution to its provident fund within such time and in such manner as may be specified in the Family Pension Scheme."

28. *Amendment of section 18.*—In section 18 of the Provident Funds Act, for the words "or under any Scheme", the words "the Scheme or the Family Pension Scheme" shall be substituted.

29. *Amendment of section 19.*—In section 19 of the Provident Funds Act, for the words "or any Scheme", the words "the Scheme or the Family Pension Scheme" shall be substituted.

30. *Insertion of new Schedule III.*—After Schedule II to the Provident Funds Act, the following Schedule shall be inserted, namely:—

"SCHEDULE III

[See section 6A (4)]

MATTERS FOR WHICH PROVISION MAY BE MADE IN THE FAMILY PENSION SCHEME

1. The employees or class of employees to whom the Family Pension Scheme shall apply and the time within which option to join that Scheme shall be exercised by those employees to whom the said Scheme does not apply.

2. Subject to the provisions of section 6A(2), the portion of employer's and employee's contribution which may be credited to the Family Pension Fund and the manner in which it may be credited.

3. The contribution by the Central Government to the Family Pension Fund and the manner in which such contribution is to be made.

4. The manner in which the accounts of the Family Pension Fund shall be kept and the investment of moneys belonging to the Family Pension Fund with the Central Government at a rate of interest which shall not be less than five and a half per centum per annum.

5. The form in which an employee shall furnish particulars about himself and his family whenever required.

6. The nomination of a person to receive the assurance amount due to the employee after his death and the cancellation or variation of such nomination.

7. The registers and records to be maintained in respect of employees, the form or design of any identity card, token or disc for the purpose of identifying any employee, or his nominee or a member of his family entitled to receive the pension.

8. The scales of family pension and the assurance amount.

9. The manner in which the exempted establishments have to pay the contributions (both employer's and employee's shares) towards the Family Pension Fund and the submission of returns relating thereto.

10. The mode of disbursement of family pension and the arrangements to be entered into with such disbursing agencies as may be specified for the purpose.

11. The manner in which the expenses incurred in connection with the administration of the Family Pension Scheme may be paid by the Central Government to the Central Board.

12. Any other matter which is to be provided for the Family Pension Scheme or which may be necessary or proper for the purpose of implementing the Family Pension Scheme."

31. *Consequential Amendment of Act 31 of 1956.*—In section 44 of the Life Insurance Corporation Act, 1956 after clause (f), the following clause shall be inserted namely:—

"(g) any Family Pension Scheme framed under the Coal Mines Provident Fund, Family Pension and Bonus Schemes Act, 1948 (46 of 1948) or the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952) for the purpose of providing family pension and life assurance benefits to the employees covered by the said Scheme."

32. *Repeal and savings.*—(1) The Labour Provident Fund Laws (Amendment) Ordinance, 1971 (3 of 1971), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Coal Mines Act or the Provident Funds Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the Coal Mines Act or the Provident Funds Act as amended by this Act, as the case may be, as if this Act had come into force on the 13th day of February, 1971.

Simla-2, the 4th June, 1971

No. 12-11/71-LR.—The following Ordinances promulgated by the President of India, and published in the Gazette of India, Extra-ordinary, Part II, section I, are hereby republished in the Himachal Pradesh Government Rajpatra for the information of general public:—

1. The Bengal Finance (Sales Tax) (Delhi Validation of Appointments and Proceedings) Ordinance, 1971 (7 of 1971).

2. The Gold (Control) Amendment Ordinance, 1971 (8 of 1971).

3. The Delhi Sikh Gurdwaras (Management) Ordinance, 1971 (9 of 1971).

JOSEPH DINA NATH,
Under Secretary (Judicial).

THE BENGAL FINANCE (SALES TAX) (DELHI VALIDATION OF APPOINTMENTS AND PROCEEDINGS) ORDINANCE, 1971 No. 7 of 1971

Promulgated by the President in the Twenty-second Year of the Republic of India

An Ordinance to validate appointments of certain officers under the Bengal Finance (Sales Tax) Act, 1941, as in force in the Union territory of Delhi and to validate proceedings taken by such officers under that Act and the Central Sales Tax Act, 1956.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Bengal Finance (Sales Tax) (Delhi Validation of Appointments and Proceedings) Ordinance, 1971.

(2) It shall come into force at once.

2. *Definitions.*—In this Ordinance:—

(a) "Administrator" means the administrator of the Union territory of Delhi appointed by the President under article 239 of the Constitution;

(b) "appointment" means appointment as—

- (a) Commissioner of Sales Tax; or
- (b) Additional Commissioner of Sales Tax; or
- (c) Deputy Commissioner of Sales Tax; or
- (d) Assistant Commissioner of Sales Tax; or
- (e) Sales Tax Officer; or
- (f) Assistant Sales Tax Officer; or
- (g) Inspector.

3. *Validation of certain appointments, assessments, etc.*—Notwithstanding anything contained in any judgment, decree or order of any court, tribunal or other authority,—

(a) no appointment of any person made or purporting to have been made under or for the purposes of the Bengal Finance (Sales Tax) Act, 1941 (Bengal Act VI of 1941), as in force in the Union territory of Delhi (hereinafter referred to as the principal Act) before the commencement of this Ordinance shall be deemed to be illegal or invalid or ever to have been illegal or invalid merely on the ground that such appointment was not made in accordance with the provisions of section 3 of the principal Act or on the ground that such appointment was not made under that section or on both those grounds; and

(b) no assessment, re-assessment, levy or collection of any tax made or purporting to have been made under the principal Act or under the Central Sales Tax Act, 1956 (74 of 1956) as the case may be before the commencement of this Ordinance and no jurisdiction exercised, no order made and no other act or proceeding or thing done or taken by, or before, a person referred to

in clause (a) in relation to such assessment, re-assessment levy or collection shall be deemed to be illegal or invalid or ever to have been illegal invalid merely on the ground that such jurisdiction was exercised or such order had been made or such other act or proceeding or thing had been done or taken by, or before, a person whose appointment was not made in accordance with or under the provisions of section 3 of the principal Act, and accordingly—

- (i) all appointments made or purporting to have been made under or for the purposes of the principal Act before the commencement of this Ordinance shall, for all purposes, be deemed to be, and to have been made in accordance with law;
- (ii) the jurisdiction exercised, orders made and all other acts, proceedings or things done or taken by the Administrator or by a person whose appointment had been made as aforesaid or by any other officer of Government or by any tribunal or other authority in connection with the said appointments or in connection with the assessment, re-assessment, levy or collection of tax under the principal Act or under the Central Sales Tax Act, 1956, (74 of 1956) as the case may be, shall, for all purposes be deemed to be and to have been exercised, made, done or taken in accordance with law; and
- (iii) no suit or other proceedings shall be maintained or continued in any court or before any tribunal or other authority whatsoever or on the ground that any such appointment was illegal or invalid or any such jurisdiction, order or other act, proceeding or thing was not exercised, made, done or taken in accordance with law.

V. V. GIRI,
President.

N.D.P. NAMBOODIRIPAD,
Joint Secretary to the Government of India.

THE GOLD (CONTROL) AMENDMENT ORDINANCE, 1971 (No. 8 of 1971)

Promulgated by the President in the Twenty-second Year of the Republic of India.

An Ordinance further to amend the Gold (Control) Act, 1968.

WHEREAS, Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Gold (Control) Amendment Ordinance, 1971.

(2) It shall come into force at once.

2. *Amendment of section 71.*—In section 71 of the Gold (Control) Act, 1968 (45 of 1968) (hereinafter referred to as the principal Act),—

- (i) for sub-section (1), the following sub-section shall be, and shall be deemed always to have been, substituted, namely:—

“(1) Any gold in respect of which any provision of this Act or any rule or order made thereunder has been, or is being, or is attempted to be,

contravened, together with any package, covering or receptacle in which such gold is found, shall be liable to confiscation:

Provided that where it is established to the satisfaction of the officer adjudging the confiscation that such gold or other thing belongs to a person other than the persons who has, by any act or omission, rendered it liable to confiscation, and such act or omission was without the knowledge or connivance of the persons to whom it belongs it shall not be ordered to be confiscated but such other action, as is authorised by this Act, may be taken against the person who has by such act or omission, rendered it liable to confiscation.”;

- (ii) for sub-sections (2), (3) and (4), the following sub-sections shall be substituted, namely:—

“(2) Where any package, covering or receptacle referred to in sub-section (1) contains any, other goods, such contents shall also be liable to confiscation.

(3) Where any gold is liable to confiscation under sub-section (1), it shall be so liable notwithstanding any change in its form, and where such gold is mixed with other goods in such manner that it can not be separated from those other goods, the whole of such goods, including the gold, shall be liable to confiscation.

(4) On and from the commencement of the Gold (Control) Amendment Ordinance, 1971, the proviso to sub-section (1) shall also apply to any gold or other thing which is liable to confiscation under sub-section (2) or sub-section (3).”

3. *Amendment of section 73.*—In section 73 of the Principal Act, the word “twice” shall, be, and shall be deemed always to have been, omitted.

4. *Re-opening of past confiscations.*—(1) Where any order made, before the commencement of this Ordinance, for the confiscation of any gold or other thing or giving option to pay fine in lieu thereof is such that it could not have been made if the principal Act, as amended by this Ordinance, were in force on the date on which the said order was made, the officer competent under section 78 to adjudge such confiscation shall, on an application made to him by the person aggrieved by such order, set aside the order of confiscation or, as the case may be, the order giving option to pay fine in lieu of confiscation, and also any order imposing penalty in addition to confiscation or giving option to pay fine in lieu thereof, and make a fresh adjudication in accordance with the provisions of the principal Act, as amended by this Ordinance.

(2) The power referred to in sub-section (1) shall be exercised by the officer specified therein in relation to the final order of adjudication of confiscation or giving option to pay fine in lieu thereof or imposing any penalty, whether or not such final order was made in appeal under section 80 or in revision under section 81 or section 82.

(3) Every application referred to in sub-section (1) shall be made within ninety days from the commencement of this Ordinance or within such further time, not exceeding ninety days, as the officer specified in that sub-section may on sufficient cause being shown, allow.

(4) Where, and in so far as, any order for the confiscation of any gold or other thing, or any option given to pay fine in lieu of confiscation, or imposing any penalty is modified or reversed, the officer specified in sub-section (1) shall make an order for such refund or restitution as the circumstances of the case may require:

Provided that where the restitution of any gold or other

thing is not practicable, the said authority shall make an order for the payment to the person to whom such restitution is to be made, the market value of such gold or other thing, as on the date on which the fresh adjudication is made.

(5) Nothing in this section shall apply to any confiscation made, option given to pay fine in lieu of confiscation, or penalty imposed under Part XII-A of the Defence of India Rules, 1962.

5. *Validation.*—Notwithstanding any judgement, decree or order of any court, any confiscation made, penalty imposed or fine levied under the Gold (Control) Act, 1968 (45 of 1968), before the commencement of this Ordinance, shall, in so far as it is not inconsistent with the provisions of this Ordinance, be deemed to have been made, imposed or levied in accordance with the provisions of the Gold (Control) Act, 1968, as amended by this Ordinance.

V. V. GIRI,
President.

N. D. P. NAMBOODIRIPAD,

Joint Secretary to the Government of India.

THE DELHI SIKH GURDWARAS (MANAGEMENT) ORDINANCE, 1971

No. 9 OF 1971

Promulgated by the President in the Twenty-second Year of the Republic of India.

An Ordinance to provide for the better management of certain Sikh Gurdwaras and Gurdwara property.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Delhi Sikh Gurdwaras (Management) Ordinance, 1971.

(2) It shall come into force at once.

2. *Definitions.*—In this Ordinance, unless the context otherwise requires,—

(a) "Administrator" means the Administrator of the Union territory of Delhi appointed by the President under article 239 of the Constitution;

(b) "appointed day" means the date of commencement of this Ordinance;

(c) "Board" means the Delhi Sikh Gurdwara Board constituted under section 3;

(d) "Committee" means the Gurdwara Prabandhak Committee Delhi, a society registered under the Societies Registration Act, 1860 (21 of 1860);

(e) "Gurdwaras" means the Sikh Gurdwaras situated in the Union territory of Delhi as were, immediately before the appointed day, being managed by or affiliated to the Committee;

(f) "Gurdwara property" means,—

(i) all movable and immovable property which, immediately before the appointed day, vested or was kept in deposit in the name of the Committee,

(ii) all property which stands in the name of the Gurdwaras or in the name of present or old managers of the historic Gurdwaras,

(iii) all offerings in cash or kind made in various Gurdwaras,

(iv) all property, cash and kind, movable as well as

immovable that may be acquired by purchase, exchange or otherwise by the Gurdwaras from time to time,

(v) all grants, donations or contributions made from time to time by Government or any other authority to the Gurdwaras;

(g) "Sikh" means a person who professes the Sikh religion or, in the case of a deceased person, who professed the Sikh religion or was known to be a Sikh during his lifetime. If any question arises as to whether any living person is or is not a Sikh, he shall be deemed respectively to be or not to be a Sikh according as he makes or refuses to make in such manner as the Administrator may prescribe by rules the following declaration:—

"I solemnly affirm that I am a Sikh, that I believe in the Guru Granth Sahib, that I believe in the Ten Gurus, and that I have no other religion."

3. *Incorporation of the Board.*—(1) As from the appointed day, there shall be established a Board to be called the Delhi Sikh Gurdwara Board.

(2) The Board shall be a body corporate having perpetual succession and a common seal and shall by the said name sue and be sued.

4. *Composition of the Board.*—(1) The Board shall consist of five members, being citizens of India, to be nominated by the Central Government from amongst persons having knowledge or practical experience in respect of such matters as the following, namely:—

social service, public affairs, management of public institutions, finance or law.

(2) There shall be a Chairman of the Board who shall be elected by the members from amongst themselves.

(3) A casual vacancy in the office of a member of the Board shall be filled by fresh nomination.

5. *Disqualification.*—A person shall be disqualified for being nominated as a member of the Board,—

(a) if he is not a Sikh and is less than twenty-one years of age;

(b) if he is found to be a person of unsound mind;

(c) if he is an undischarged insolvent;

(d) if he has been convicted of an offence involving moral turpitude;

(e) if he has, on any previous occasion been removed from the office of a member of the Committee or has been removed by order of a competent court from any position of trust either for mismanagement or corruption.

6. *Resignation of Chairman and members.*—The Chairman or any other member of the Board may resign his office by writing under his hand addressed to the Central Government:

Provided that the Chairman or the member shall continue in office until the nomination of his successor is notified.

7. *Removal of Chairman and members.*—(1) The Central Government may, by notification in the Official Gazette, remove the Chairman of the Board or any member thereof if he—

(a) is or becomes subject to any disqualifications; or

(b) refuses to act, or is incapable of acting, or acts in a manner which the Central Government, after hearing any explanation that he may offer, considers to be prejudicial to the interests of the Gurdwaras.

(2) Where the Chairman of the Board is removed under sub-section (1), he shall also cease to be a member of the Board.

8. *Validity of acts of Board not to be questioned by reason of vacancy, etc.*—No act or proceeding of the Board shall be invalid by reason only of the existence of any vacancy amongst its members or any defect in the constitution thereof.

9. *Meetings of the Board.*—(1) The Board shall meet for the transaction of business at such times and places as may be decided by the Board:

Provided that the first meeting of the Board shall be held at such time and place as may be fixed by the Administrator in this behalf.

(2) The Chairman or in his absence any member chosen by the members from amongst themselves shall preside at a meeting of the Board.

(3) Subject to the provisions of this Ordinance, all questions which come before any meeting of the Board shall be decided by a majority of votes of the members present, and in the case of equality of votes the Chairman, or, in his absence any other person presiding shall have a second or casting vote.

10. *Taking over of management of Gurdwaras by the Board.*—Notwithstanding any judgement, decree or order of any court or other authority or any proceeding pending before any court or other authority, or anything contained in any law or rules or bye-laws of the Committee, the entire management and control of the Gurdwaras and Gurdwara property shall, as from the appointed day, be taken over and vested in the Board.

11. *Dissolution of the society and transfer of Gurdwara property.*—(1) As from the appointed day, the Society known as the Gurdwara Prabandhak Committee, Delhi and registered under the provisions of the Society Registration Act, 1860 (21 of 1860), shall stand dissolved and all Gurdwara property, movable and immovable, and all rights, powers and privileges of the said society which immediately before the appointed day belonged to or were vested in the said society shall vest in the Board and shall be applied for the purposes for which the Board is constituted in accordance with the provisions of this Ordinance.

(2) As from the appointed day all debts and liabilities of the said society shall stand transferred and attached to the Board and thereafter be discharged and satisfied by the Board.

(3) Any will, deed or other instrument whether made or executed before or after the appointed day, which contains any bequests, gifts, or trust in favour of the said society shall, as from the appointed day, be construed as if the Board were therein named instead of the said society.

12. *Duties of the Board.*—Subject to the provisions of this Ordinance and the rules made thereunder, it shall be the duty of the Board—

- (i) to arrange for the proper performance of religious rites and ceremonies in the Gurdwaras;
- (ii) to provide facilities for worship by devotees at the Gurdwaras;
- (iii) to ensure safe custody of its funds movable properties, deposits, offerings in cash or kind and management of all Gurdwara property;
- (iv) to ensure maintenance of order and discipline and proper hygienic conditions in the Gurdwaras;
- (v) to make provision for payment of emoluments to its salaried staff;
- (vi) to manage the historic and other Gurdwaras and the Gurdwara property in such a way as to make them inspiring centres of the Sikh tradition, Sikh culture and Sikh religion;

(vii) to spread education, especially the knowledge of Punjabi and Gurmukhi, to establish educational institutions and libraries and to give aid to such institutions and stipends to the students, to provide suitable accommodation for the pilgrims, to maintain free kitchen, to open free dispensaries and to do such other religious and charitable acts as the Board thinks fit.

(viii) to render all help in the cause of the uplift of the Sikh community;

(ix) to do all such things as may be incidental and conducive to the efficient management of the affairs of Gurdwara property or to the convenience of the devotees;

(x) to perform such other functions as may be prescribed by rules by the Administrator for carrying out the purposes of this Ordinance.

13. *Creation of the Gurdwara fund.*—(1) There shall be a Gurdwara Fund into which all receipts and income of the Gurdwara property shall be credited and out of which all expenses and disbursement of the Board shall be made.

(2) The Gurdwara Fund shall be operated and maintained in accordance with the rules made by the Administrator in this behalf.

14. *Directions by the Administrator.*—(1) The Administrator may issue such directions, as he may think fit, on questions of policy to be followed by the Board and for issuing such directions, he may call for any report of information from the Board.

(2) In the performance of its functions under this Ordinance, the Board shall be guided by the directions issued under sub-section (1).

15. *Penalty.*—If any person obstructs the Board or any of its officers or servants from taking possession of any Gurdwara property vested in the Board under section 11 or conceals, destroys, mutilates or defaces any book or other documents with intent to evade the provisions of the said section 11; that person shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

16. *Protection of action taken in good faith.*—No suit, prosecution or other legal proceeding shall lie against the Chairman or any member of the Board or any officer or servant of the Board, for anything which is in good faith done or intended to be done in pursuance of this Ordinance or of any rule or order made thereunder.

17. *Power to make rules.*—(1) The Administrator may, by notification in the Official Gazette, make rules to carry out the purposes of this Ordinance.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the manner in which a declaration for the purposes of clause (f) of section 2 shall be made;
- (b) the functions to be performed by the Board and the conditions and restrictions subject to which those functions shall be performed;
- (c) the manner in which the funds belonging to the Board shall be deposited or invested;
- (d) the mode of authentication of orders for payment of money by the Board;
- (e) the form in which the account shall be kept by the Board, the audit thereof and publication of such accounts;
- (f) any other matter which has to be, or may be, prescribed.

(3) Every rule made under this Ordinance shall be laid as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and, if before the expiry of the session in which it is so laid or the session immediately following both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

16. Power of Board to make regulations.—(1) The Board may, with the previous approval of the Administrator, make regulations not inconsistent with the provisions of this Ordinance or the rules made thereunder for carrying out its functions under this Ordinance.

(2) In particular and without prejudice to the generality of the foregoing powers, such regulations may provide for all or any of the matters, namely:—

(a) the manner in which meetings of the Board shall be convened, the quorum for the transaction of

any business there at and the procedure at such meetings;

(b) the manner in which a majority decision of the Board shall be obtained by circulation to the members of the matter requiring decisions;

(c) the appointment of such officers and servants as may be necessary for the purpose of carrying out the functions of the Board under section 12 and the terms and conditions of their service.

19. Ordinance not to affect rites and practices of Sikh religion.—Nothing contained in this Ordinance shall—

(a) save as otherwise expressly provided in this Ordinance or the rules made thereunder, affect any honour, emolument or perquisite to which any person is entitled by custom or otherwise in any Gurdwara;

(b) authorise any interference with the religious or spiritual functions performed in any Gurdwara.

V. V. GIRI,
President.

N. D. P. NAMBOODIRIPAD,
Joint Secretary to the Government of India.

भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

शून्य

अनुपूरक

शून्य

PART II

DIRECTORATE OF INDUSTRIES

(GEOLOGICAL CELL)

AUCTION NOTICE

Simla-5, the 30th March, 1972

No. 5-72, 70-Ind. (Glg) Vol. II.—The following Slate Quarries/River Beds etc. of Mandi district will be sold by public auction in the office of the District Industries Officer, Mandi on the 11th and 12th May, 1972, at 11.00 A. M.

Sl. No.	Name of Quarry	Pargana	Village	Tehsil	Period of auction
1	2	3	4	5	6

I. SLATE QUARRIES

1.	Brabal Quarry	Sewa Badar	Banaul	Sadar	3 years
2.	Salgi Quarry	Salgi	Salgi	-do-	-do-
3.	Bari Quarry	Sewa	Bari	-do-	-do-
4.	Khablash Quarry	Chhublu	Khablash	-do-	-do-
5.	Deod Quarry	Sewa Badar	Deod/Haton	-do-	-do-
6.	Khoti Nal Quarry	-do-	Bhabhnas	-do-	-do-
7.	Newphagudhar Quarry	Shehnu	—	Chachiot	-do-
8.	Chaluna Quarry	—	—	Sundernagar	-do-
9.	Namana Quarry	—	—	-do-	-do-
10.	Panjog Quarry	—	—	-do-	-do-
11.	Matyogi Quarry	—	—	-do-	-do-
12.	Chanaula Quarry	—	—	-do-	-do-

1	2	3	4	5	6
II. RIVER/NULLAH BEDS FOR SAND, STONE AND BAJRI ETC.					
13.	Gambhar Khad	Pachhit	Hawani	Sadar	3 years
14.	-do-	-do-	-do-	-do-	-do-
15.	Galhama Khad	Balh	Pargi	-do-	-do-
16.	Jogindernagar Quarry	Jitpur	Jogindernagar	Jogindernagar	-do-
17.	Katnaharl Quarry	Balh	—	Sadar	-do-
18.	Binukhad Quarry	Jamthal	—	Jogindernagar	-do-
19.	Bharol Quarry	Bharol	—	-do-	-do-
20.	Jogindernagar Quarry	Jitpur	Jogindernagar	-do-	-do-
21.	Jarol Khad Quarry	Jarol	Jarol	Sundernagar	-do-
22.	Ropri Quarry	-do-	Ropri	-do-	-do-
23.	Nagroti Khad Quarry	—	Bhambla	Sarkaghat	-do-
24.	Alsoo Khad Quarry	Dehar	Kangu	Sundernagar	-do-
25.	Suketi Khad Quarry	Balh	Chadial	Sadar	-do-
26.	Kansha Khad Quarry	-do-	Dadaur	-do-	-do-
27.	Jhiri Quarry	Jhiri	Tokali	-do-	-do-

The auction is being made on the following terms and conditions:—

- (1) The terms and conditions of sale will be announced on spot.
- (2) The bid shall be per annum.
- (3) Any person intending to bid shall deposit Rs. 100.00 with the Presiding Officer in advance as earnest money.
- (4) Bidders to inspect the quarries before bidding in their own interest.
- (5) The Presiding Officer reserves the right to group the quarries without assigning any reason.
- (6) Other information and details of the area (with maps) may be obtained from the District Industries Officer, Mandi.
- (7) On completion of the auction the result shall be announced and the provisionally selected bidders shall immediately deposit 25 per cent of the amount of bid for one year as security for execution of the lease deed and due observance of its terms and conditions, and an equal amount as first instalment of royalty where the bid exceeds Rs. 1,000.00 p. a. and full amount of bid per annum in case the bids are up to Rs. 1,000 p. a. The bid shall not be treated as accepted unless confirmed by the State Government or such other authority who may be authorised by the State Government to grant the Lease.
- (8) The period of contract for all the quarries shall be three years from the date of grant of the contract.
- (9) The Government reserves the right to reduce or enhance the period of contract.
- (10) The Government reserves the right to accept or reject the highest bid without assigning any reason.
- (11) The auction is being made subject to the provisions contained in the Himachal Pradesh Minor Minerals (Concession) Revised Rules, 1971.

SUBHASH SHARMA,
Geologist.

PART V

In the Court of Shri Surinder Parkash, M.A., LL.B.,
Sub-Judge Ist Class, Nalagarh

(Publication Under Order 5, Rule 20 of the C.P.C.)

CIVIL SUIT No. 9 OF 1970

1. Labhu Ram, 2. Lakha, 3. Bhagat Ram sons
of Balli Ram, residents of Sakedi Khalan, Pargana
Gullarwala, Tehsil Nalagarh Plaintiffs.

Versus

Bagga and others

Defendants.

1. Bagga, 2. Anant Ram sons of Thola, residents
Sakedi Khalsā, Pargana Gullarwala, Tehsil Nalagarh.

In the above noted case it has been proved to the satisfaction that the above noted defendants are not traceable and evading service in the normal course. They are hereby informed by this publication that they should attend this Court personally or through some authorised agent, on 22nd day of April, 1972 at 10 a.m. failing which ex-parte proceeding shall be taken against them and the suit will be decided in their absence.

Given under my hand and the seal of the Court, this
10th day of April, 1972.

SURINDER PARKASH,
Sub-Judge Ist Class.

Seal.